

MICROCOPY

892

ROLL

98

# NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microfilm Publication M892

RECORDS OF THE UNITED STATES

NUERNBERG WAR CRIMES TRIALS

*UNITED STATES OF AMERICA v. CARL KRAUCH ET AL. (CASE VI)*

AUGUST 14, 1947-JULY 30, 1948

Roll 98

## Other Items

Defense Basic Information on I. G. Farben  
(English and German)

Joint Motions of the Prosecution and Defense  
To Correct the English Document Books of the Defense  
(English and German)

Defense Opening Statements, All Defendants  
(English and German)



THE NATIONAL ARCHIVES  
NATIONAL ARCHIVES AND RECORDS SERVICE  
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1976



## INTRODUCTION

On the 113 rolls of this microfilm publication are reproduced the records of Case VI, *United States of America v. Carl Krauch et al.* (I. G. Farben Case), 1 of the 12 trials of war criminals conducted by the U.S. Government from 1946 to 1949 at Nuernberg subsequent to the International Military Tribunal (IMT) held in the same city. These records consist of German- and English-language versions of official transcripts of court proceedings, prosecution and defense briefs and statements, and defendants' final pleas as well as prosecution and defense exhibits and document books in one language or the other. Also included are minute books, the official court file, order and judgment books, clemency petitions, and finding aids to the documents.

The transcripts of this trial, assembled in 2 sets of 43 bound volumes (1 set in German and 1 in English), are the recorded daily trial proceedings. Prosecution statements and briefs are also in both languages but unbound, as are the final pleas of the defendants delivered by counsel or defendants and submitted by the attorneys to the court. Unbound prosecution exhibits, numbered 1-2270 and 2300-2354, are essentially those documents from various Nuernberg record series, particularly the NI (Nuernberg Industrialist) Series, and other sources offered in evidence by the prosecution in this case. Defense exhibits, also unbound, are predominantly affidavits by various persons. They are arranged by name of defendant and thereunder numerically, along with two groups of exhibits submitted in the general interest of all defendants. Both prosecution and defense document books consist of full or partial translations of exhibits into English. Loosely bound in folders, they provide an indication of the order in which the exhibits were presented before the tribunal.

Minute books, in two bound volumes, summarize the transcripts. The official court file, in nine bound volumes, includes the progress docket, the indictment, and amended indictment and the service thereof; applications for and appointments of defense counsel and defense witnesses and prosecution comments thereto; defendants' application for documents; motions and reports; uniform rules of procedures; and appendixes. The order and judgment books, in two bound volumes, represent the signed orders, judgments, and opinions of the tribunal as well as sentences and commitment papers. Defendants' clemency petitions, in three bound volumes, were directed to the military governor, the Judge Advocate General, and the U.S. District Court for the District of Columbia. The finding aids summarize transcripts, exhibits, and the official court file.

Case VI was heard by U.S. Military Tribunal VI from August 14, 1947, to July 30, 1948. Along with records of other Nuernberg

# NATIONAL ARCHIVES MICROFILM PUBLICATIONS

and Far East war crimes trials, the records of this case are part of the National Archives Collection of World War II War Crimes Records, Record Group 238.

The I. G. Farben Case was 1 of 12 separate proceedings held before several U.S. Military Tribunals at Nuernberg in the U.S. Zone of Occupation in Germany against officials or citizens of the Third Reich, as follows:

<u>Case No.</u>	<u>United States v.</u>	<u>Popular Name</u>	<u>No. of Defendants</u>
1	<i>Karl Brandt et al.</i>	Medical Case	23
2	<i>Erhard Milch</i>	Milch Case (Luftwaffe)	1
3	<i>Josef Altstoetter et al.</i>	Justice Case	16
4	<i>Oswald Pohl et al.</i>	Pohl Case (SS)	18
5	<i>Friedrich Flick et al.</i>	Flick Case (Industrialist)	6
6	<i>Carl Krauch et al.</i>	I. G. Farben Case (Industrialist)	24
7	<i>Wilhelm List et al.</i>	Hostage Case	12
8	<i>Ulrich Greifelt et al.</i>	RuSHA Case (SS)	14
9	<i>Otto Ohlendorf et al.</i>	Einsatzgruppen Case (SS)	24
10	<i>Alfried Krupp et al.</i>	Krupp Case (Industrialist)	12
11	<i>Ernst von Weissaecker et al.</i>	Ministries Case	21
12	<i>Wilhelm von Leeb et al.</i>	High Command Case	14

Authority for the proceedings of the IMT against the major Nazi war criminals derived from the Declaration on German Atrocities (Moscow Declaration) released November 1, 1943; Executive Order 9547 of May 2, 1945; the London Agreement of August 8, 1945; the Berlin Protocol of October 6, 1945; and the IMT Charter.

Authority for the 12 subsequent cases stemmed mainly from Control Council Law 10 of December 20, 1945, and was reinforced by Executive Order 9679 of January 16, 1946; U.S. Military Government Ordinances 7 and 11 of October 18, 1946, and February 17, 1947, respectively; and U.S. Forces, European Theater General Order 301 of October 24, 1946. Procedures applied by U.S. Military Tribunals in the subsequent proceedings were patterned after those of the IMT and further developed in the 12 cases, which required over 1,200 days of court sessions and generated more than 330,000 transcript pages.



Formation of the I. G. Farben Combine was a stage in the evolution of the German chemical industry, which for many years led the world in the development, production, and marketing of organic dyestuffs, pharmaceuticals, and synthetic chemicals. To control the excesses of competition, six of the largest chemical firms, including the Badische Anilin & Soda Fabrik, combined to form the Interessengemeinschaft (Combine of Interests, or Trust) of the German Dyestuffs Industry in 1904 and agreed to pool technological and financial resources and markets. The two remaining chemical firms of note entered the combine in 1916. In 1925 the Badische Anilin & Soda Fabrik, largest of the firms and already the majority shareholder in two of the other seven companies, led in reorganizing the industry to meet the changed circumstances of competition in the post-World War markets by changing its name to the I. G. Farbenindustrie Aktiengesellschaft, moving its home office from Ludwigshafen to Frankfurt, and merging with the remaining five firms.

Farben maintained its influence over both the domestic and foreign markets for chemical products. In the first instance the German explosives industry, dependent on Farben for synthetically produced nitrates, soon became subsidiaries of Farben. Of particular interest to the prosecution in this case were the various agreements Farben made with American companies for the exchange of information and patents and the licensing of chemical discoveries for foreign production. Among the trading companies organized to facilitate these agreements was the General Anilin and Film Corp., which specialized in photographic processes. The prosecution charged that Farben used these connections to retard the "Arsenal of Democracy" by passing on information received to the German Government and providing nothing in return, contrary to the spirit and letter of the agreements.

Farben was governed by an Aufsichtsrat (Supervisory Board of Directors) and a Vorstand (Managing Board of Directors). The Aufsichtsrat, responsible for the general direction of the firm, was chaired by defendant Krauch from 1940. The Vorstand actually controlled the day-to-day business and operations of Farben. Defendant Schmitz became chairman of the Vorstand in 1935, and 18 of the other 22 original defendants were members of the Vorstand and its component committees.

Transcripts of the I. G. Farben Case include the indictment of the following 24 persons:

Otto Ambros: Member of the Vorstand of Farben; Chief of Chemical Warfare Committee of the Ministry of Armaments and War Production; production chief for Buna and poison gas; manager of Auschwitz, Schkopau, Ludwigshafen, Oppau, Gendorf, Dyhernfurth, and Falkenhagen plants; and Wehrwirtschaftsfuehrer.

Max Brueggemann: Member and Secretary of the Vorstand of Farben; member of the legal committee; Deputy Plant Leader of the Leverkusen Plant; Deputy Chief of the Sales Combine for Pharmaceuticals; and director of the legal, patent, and personnel departments of the Works Combine, Lower Rhine.

Ernst Buergin: Member of the Vorstand of Farben; Chief of Works Combine, Central Germany; Plant Leader at the Bitterfeld and Wolfen-Farben plants; and production chief for light metals, dyestuffs, organic intermediates, plastics, and nitrogen at these plants.

Heinrich Bueteftisch: Member of the Vorstand of Farben; manager of Leuna plants; production chief for gasoline, methanol, and chlorine electrolysis production at Auschwitz and Moosbierbaum; Wehrwirtschaftsfuehrer; member of the Himmler Freundeskreis (circle of friends of Himmler); and SS Obersturmbannfuehrer (Lieutenant Colonel).

Walter Duerrfeld: Director and construction manager of the Auschwitz plant of Farben, director and construction manager of the Monowitz Concentration Camp, and Chief Engineer at the Leuna plant.

Fritz Gajewski: Member of the Central Committee of the Vorstand of Farben, Chief of Sparte III (Division III) in charge of production of photographic materials and artificial fibers, manager of "Agfa" plants, and Wehrwirtschaftsfuehrer.

Heinrich Gattineau: Chief of the Political-Economic Policy Department, "WIPO," of Farben's Berlin N.W. 7 office; member of Southeast Europe Committee; and director of A.G. Dynamit Nobel, Pressburg, Czechoslovakia.

Paul Haeftiger: Member of the Vorstand of Farben; member of the Commercial Committee; and Chief, Metals Departments, Sales Combine for Chemicals.

Erich von der Heyde: Member of the Political-Economic Policy Department of Farben's Berlin N.W. 7 office, Deputy to the Chief of Intelligence Agents, SS Hauptsturmfuehrer, and member of the WI-RUE-AMT (Military Economics and Armaments Office) of the Oberkommando der Wehrmacht (OKW) (High Command of the Armed Forces).

Heinrich Hoerlein: Member of the Central Committee of the Vorstand of Farben; chief of chemical research and development of vaccines, sera, pharmaceuticals, and poison gas; and manager of the Elberfeld Plant.



Max Ilgner: Member of the Vorstand of Farben; Chief of Farben's Berlin N.W. 7 office directing intelligence, espionage, and propaganda activities; member of the Commercial Committee; and Wehrwirtschaftsfuehrer.

Friedrich Jaehne: Member of the Vorstand of Farben; chief engineer in charge of construction and physical plant development; Chairman of the Engineering Committee; and Deputy Chief, Works Combine, Main Valley.

August von Knieriem: Member of the Central Committee of the Vorstand of Farben; Chief Counsel of Farben; and Chairman, Legal and Patent Committees.

Carl Krauch: Chairman of the Aufsichtsrat of Farben and Generalbevollmaechtigter fuer Sonderfragen der Chemischen Erzeugung (General Plenipotentiary for Special Questions of Chemical Production) on Goering's staff in the Office of the 4-Year Plan.

Hans Kuehne: Member of the Vorstand of Farben; Chief of the Works Combine, Lower Rhine; Plant Leader at Leverkusen, Elberfeld, Uerdingen, and Dormagen plants; production chief for inorganics, organic intermediates, dyestuffs, and pharmaceuticals at these plants; and Chief of the Inorganics Committee.

Hans Kugler: Member of the Commercial Committee of Farben; Chief of the Sales Department Dyestuffs for Hungary, Rumania, Yugoslavia, Greece, Bulgaria, Turkey, Czechoslovakia, and Austria; and Public Commissar for the Falkenau and Aussig plants in Czechoslovakia.

Carl Lautenschlaeger: Member of the Vorstand of Farben; Chief of Works Combine, Main Valley; Plant Leader at the Hoechst, Griesheim, Mainkur, Gersthofen, Offenbach, Eystrup, Marburg, and Neuhausen plants; and production chief for nitrogen, inorganics, organic intermediates, solvents and plastics, dyestuffs, and pharmaceuticals at these plants.

Wilhelm Mann: Member of the Vorstand of Farben, member of the Commercial Committee, Chief of the Sales Combine for Pharmaceuticals, and member of the SA.

Fritz ter Meer: Member of the Central Committee of the Vorstand of Farben; Chief of the Technical Committee of the Vorstand that planned and directed all of Farben's production; Chief of Sparte II in charge of production of Buna, poison gas, dyestuffs, chemicals, metals, and pharmaceuticals; and Wehrwirtschaftsfuehrer.

Heinrich Oster: Member of the Vorstand of Farben, member of the Commercial Committee, and manager of the Nitrogen Syndicate.

Hermann Schmitz: Chairman of the Vorstand of Farben, member of the Reichstag, and Director of the Bank of International Settlements.

Christian Schneider: Member of the Central Committee of the Vorstand of Farben; Chief of Sparte I in charge of production of nitrogen, gasoline, diesel and lubricating oils, methanol, and organic chemicals; Chief of Central Personnel Department, directing the treatment of labor at Farben plants; Wehrwirtschaftsfuehrer; Hauptabwehrbeauftragter (Chief of Intelligence Agents); Hauptbetriebsfuehrer (Chief of Plant Leaders); and supporting member of the Schutzstaffeln (SS) of the NSDAP.

Georg von Schnitzler: Member of the Central Committee of the Vorstand of Farben, Chief of the Commercial Committee of the Vorstand that planned and directed Farben's domestic and foreign sales and commercial activities, Wehrwirtschaftsfuehrer (Military Economy Leader), and Hauptsturm-fuehrer (Captain) in the Sturmabteilungen (SA) of the Nazi Party (NSDAP).

Carl Wurster: Member of the Vorstand of Farben; Chief of the Works Combine, Upper Rhine; Plant Leader at Ludwigshafen and Oppau plants; production chief for inorganic chemicals; and Wehrwirtschaftsfuehrer.

The prosecution charged these 24 individual staff members of the firm with various crimes, including the planning of aggressive war through an alliance with the Nazi Party and synchronization of Farben's activities with the military planning of the German High Command by participation in the preparation of the 4-Year Plan, directing German economic mobilization for war, and aiding in equipping the Nazi military machines.<sup>1</sup> The defendants also were charged with carrying out espionage and intelligence activities in foreign countries and profiting from these activities. They participated in plunder and spoliation of Austria, Czechoslovakia, Poland, Norway, France, and the Soviet Union as part of a systematic economic exploitation of these countries. The prosecution also charged mass murder and the enslavement of many thousands of persons particularly in Farben plants at the Auschwitz and Monowitz concentration camps and the use of poison gas manufactured by the firm in the extermination

<sup>1</sup>The trial of defendant Brueggemann was discontinued early during the proceedings because he was unable to stand trial on account of ill health.



of millions of men, women, and children. Medical experiments were conducted by Farben on enslaved persons without their consent to test the effects of deadly gases, vaccines, and related products. The defendants were charged, furthermore, with a common plan and conspiracy to commit crimes against the peace, war crimes, and crimes against humanity. Three defendants were accused of membership in a criminal organization, the SS. All of these charges were set forth in an indictment consisting of five counts.

The defense objected to the charges by claiming that regulations were so stringent and far reaching in Nazi Germany that private individuals had to cooperate or face punishment, including death. The defense claimed further that many of the individual documents produced by the prosecution were originally intended as "window dressing" or "howling with the wolves" in order to avoid such punishment.

The tribunal agreed with the defense in its judgment that none of the defendants were guilty of Count I, planning, preparation, initiation, and waging wars of aggression; or Count V, common plans and conspiracy to commit crimes against the peace and humanity and war crimes.

The tribunal also dismissed particulars of Count II concerning plunder and exploitation against Austria and Czechoslovakia. Eight defendants (Schmitz, von Schnitzler, ter Meer, Buergin, Haeffliger, Ilgner, Oster, and Kugler) were found guilty on the remainder of Count II, while 15 were acquitted. On Count III (slavery and mass murder), Ambros, Bueteffisch, Duerrfeld, Krauch, and ter Meer were judged guilty. Schneider, Bueteffisch, and von der Heyde also were charged with Count IV, membership in a criminal organization, but were acquitted.

The tribunal acquitted Gajewski, Gattineau, von der Heyde, Hoerlein, von Knieriem, Kuehne, Lautenschlaeger, Mann, Schneider, and Wurster. The remaining 13 defendants were given prison terms as follows:

<u>Name</u>	<u>Length of Prison Term (years)</u>
Ambros	8
Buergin	2
Bueteffisch	6
Duerrfeld	8
Haeffliger	2
Ilgner	3
Jaehne	1 1/2
Krauch	6
Kugler	1 1/2
Oster	2
Schmitz	4
von Schnitzler	5
ter Meer	7

All defendants were credited with time already spent in custody.

In addition to the indictments, judgments, and sentences, the transcripts also contain the arraignment and plea of each defendant (all pleaded not guilty) and opening statements of both defense and prosecution.

The English-language transcript volumes are arranged numerically, 1-43, and the pagination is continuous, 1-15834 (page 4710 is followed by pages 4710(1)-4710(285)). The German-language transcript volumes are numbered 1a-43a and paginated 1-16224 (14a and 15a are in one volume). The letters at the top of each page indicate morning, afternoon, or evening sessions. The letter "C" designates commission hearings (to save court time and to avoid assembling hundreds of witnesses at Nuernberg, in most of the cases one or more commissions took testimony and received documentary evidence for consideration by the tribunals). Two commission hearings are included in the transcripts: that for February 7, 1948, is on pages 6957-6979 of volume 20 in the English-language transcript, while that for May 7, 1948, is on pages 14775a-14776 of volume 40a in the German-language transcript. In addition, the prosecution made one motion of its own and, with the defense, six joint motions to correct the English-language transcripts. Lists of the types of errors, their location, and the prescribed corrections are in several volumes of the transcripts as follows:

- First Motion of the Prosecution, volume 1
- First Joint Motion, volume 3
- Second Joint Motion, volume 14
- Third Joint Motion, volume 24
- Fourth Joint Motion, volume 29
- Fifth Joint Motion, volume 34
- Sixth Joint Motion, volume 40

The prosecution offered 2,325 prosecution exhibits numbered 1-2270 and 2300-2354. Missing numbers were not assigned due to the difficulties of introducing exhibits before the commission and the tribunal simultaneously. Exhibits 1835-1838 were loaned to an agency of the Department of Justice for use in a separate matter, and apparently No. 1835 was never returned. Exhibits drew on a variety of sources, such as reports and directives as well as affidavits and interrogations of various individuals. Maps and photographs depicting events and places mentioned in the exhibits are among the prosecution resources, as are publications, correspondence, and many other types of records.

The first item in the arrangement of prosecution exhibits is usually a certificate giving the document number, a short description of the exhibits, and a statement on the location of the original document or copy of the exhibit. The certificate is followed by the actual prosecution exhibit (most are photostats,



# NATIONAL ARCHIVES MICROFILM PUBLICATIONS

but a few are mimeographed articles with an occasional carbon of the original). The few original documents are often affidavits of witnesses or defendants, but also ledgers and correspondence, such as:

<u>Exhibit No.</u>	<u>Doc. No.</u>	<u>Exhibit No.</u>	<u>Doc. No.</u>
322	NI 5140	1558	NI 11411
918	NI 6647	1691	NI 12511
1294	NI 14434	1833	NI 12789
1422	NI 11086	1886	NI 14228
1480	NI 11092	2313	NI 13566
1811	NI 11144		

In rare cases an exhibit is followed by a translation; in others there is no certificate. Several of the exhibits are of poor legibility and a few pages are illegible.

Other than affidavits, the defense exhibits consist of newspaper clippings, reports, personnel records, Reichgesetzblatt excerpts, photographs, and other items. The 4,257 exhibits for the 23 defendants are arranged by name of defendant and thereunder by exhibit number. Individual exhibits are preceded by a certificate wherever available. Two sets of exhibits for all the defendants are included.

Translations in each of the prosecution document books are preceded by an index listing document numbers, biased descriptions, and page numbers of each translation. These indexes often indicate the order in which the prosecution exhibits were presented in court. Defense document books are similarly arranged. Each book is preceded by an index giving document number, description, and page number for every exhibit. Corresponding exhibit numbers generally are not provided. There are several unindexed supplements to numbered document books. Defense statements, briefs, pleas, and prosecution briefs are arranged alphabetically by defendant's surname. Pagination is consecutive, yet there are many pages where an "a" or "b" is added to the numeral.

At the beginning of roll 1 key documents are filmed from which Tribunal VI derived its jurisdiction: the Moscow Declaration, U.S. Executive Orders 9547 and 9679, the London Agreement, the Berlin Protocol, the IMT Charter, Control Council Law 10, U.S. Military Government Ordinances 7 and 11, and U.S. Forces, European Theater General Order 301. Following these documents of authorization is a list of the names and functions of members of the tribunal and counsels. These are followed by the transcript covers giving such information as name and number of case, volume numbers, language, page numbers, and inclusive dates. They are followed by the minute book, consisting of summaries of the daily proceedings, thus providing an additional finding aid for the transcripts. Exhibits are listed in an index that notes the

type, number, and name of exhibit; corresponding document book, number, and page; a short description of the exhibit; and the date when it was offered in court. The official court file is summarized by the progress docket, which is preceded by a list of witnesses.

Not filmed were records duplicated elsewhere in this microfilm publication, such as prosecution and defense document books in the German language that are largely duplications of the English-language document books.

The records of the I. G. Farben Case are closely related to other microfilmed records in Record Group 238, specifically prosecution exhibits submitted to the IMT, T988; NI (Nuernberg Industrialist) Series, T301; NM (Nuernberg Miscellaneous) Series, M-936; NOKW (Nuernberg Armed Forces High Command) Series, T1119; NG (Nuernberg Government) Series, T1139; NP (Nuernberg Propaganda) Series, M942; WA (undetermined) Series, M946; and records of the Brandt case, M887; the Milch Case, M888; the Altstoetter case, M889; the Pohl Case, M890; the Flick Case, M891; the List case, M893; the Greifelt case, M894; and the Ohlendorf case, M895. In addition, the record of the IMT at Nuernberg has been published in the 42-volume *Trial of the Major War Criminals Before the International Military Tribunal* (Nuernberg, 1947). Excerpts from the subsequent proceedings have been published in 15 volumes as *Trials of War Criminals Before the Nuernberg Military Tribunal Under Control Council Law No. 10* (Washington). The Audiovisual Archives Division of the National Archives and Records Service has custody of motion pictures and photographs of all 13 trials and sound recordings of the IMT proceedings.

Martin K. Williams arranged the records and, in collaboration with John Mendelsohn, wrote this introduction.



NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 98

Target 1

Defense Basic Information on I. G. Farben

(English)

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

*Reference*

MILITARY TRIBUNAL NO 6  
CASE NO 6

GRUNDLEGENDES MATERIAL  
der Verteidigung  
über die  
I.G. FARBENINDUSTRIE  
AKTIENGESELLSCHAFT  
Band I

BASIC INFORMATION  
on  
I.G. FARBENINDUSTRIE  
AKTIENGESELLSCHAFT  
by defense  
Vol. I

Überreicht von  
RA Friedrich SILCHER  
im Auftrage der Verteidigung

Submitted by  
RA Friedrich SILCHER  
on behalf of the defense

Nürnberg, Germany  
January 12, 1948





**MILITARY TRIBUNAL NO. 6**  
**CASE NO 6**

**GRUNDLEGENDES MATERIAL**  
**der Verteidigung**  
**über die**  
**I.G. FARBEINDUSTRIE**  
**AKTIENGESELLSCHAFT**  
**Band I**

**BASIC INFORMATION**  
**on**  
**I.G. FARBEINDUSTRIE**  
**AKTIENGESELLSCHAFT**  
**by defense**  
**Vol. I**

**Überreicht von**  
**RA Friedrich SILCHER**  
**im Auftrage der Verteidigung**

**Submitted by**  
**RA Friedrich SILCHER**  
**on behalf of the defense**

**Nürnberg, Germany**  
**January 12, 1948**



**GRUNDLEGENDES MATERIAL  
der Verteidigung  
über die  
I.G. FARBEWINDUSTRIE  
AKTIENGESELLSCHAFT  
Band I**

**BASIC INFORMATION  
on  
I.G. FARBEWINDUSTRIE  
AKTIENGESELLSCHAFT  
by defense  
Vol. I**

**Sogenannte  
"SILBERBROSCHURE"  
  
oder  
"I.G. HANDBUCH  
  
Ausgabe 1939  
(letzte erschienene Ausgabe)  
deutsch-englisch**

**So called  
"SILBERBROSCHURE"  
(silver booklet)  
  
or  
"I.G. HANDBUCH"  
(handbook on I.G.)  
Edition 1939  
(latest issue)  
german-english**





**I·G·FARBENINDUSTRIE**

AKTIENGESELLSCHAFT  
FRANKFURT / MAIN

**I.G.FARBENINDUSTRIE  
AKTIENGESELLSCHAFT**

**1939**

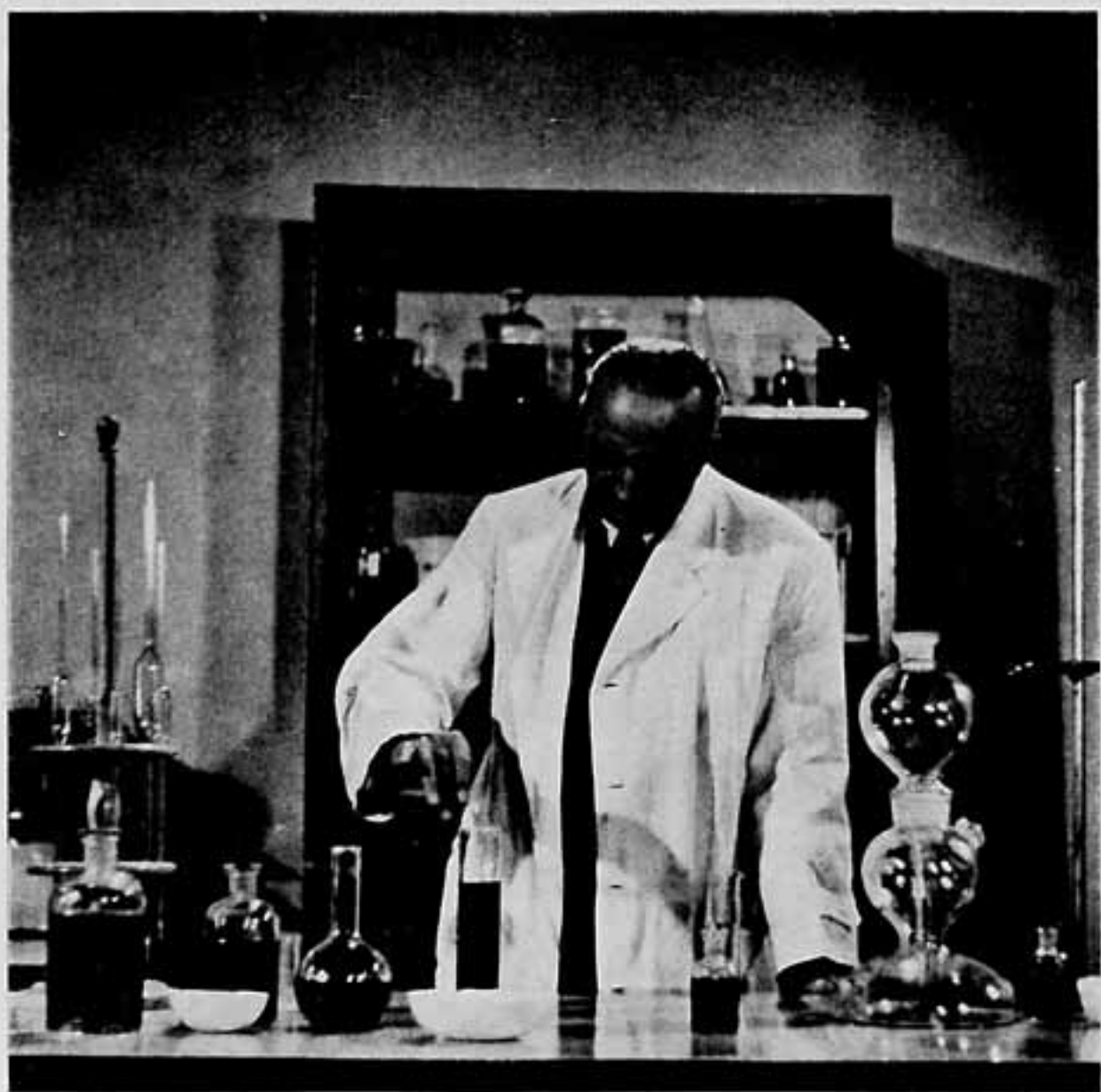
**FRANKFURT AM MAIN**



Copyright 1939 by I. G. Farbenindustrie Aktiengesellschaft — Frankfurt am Main

All rights reserved, including the right of translation into all languages. — Alle Rechte einschließlich des  
Üebersetzungsrechtes für alle Sprachen vorbehalten. — Nachdruck verboten. — Printed in Germany.

Die Mehrzahl der in diesem Handbuch aufgeführten Produkte ist der I. G. Farbenindustrie Aktiengesellschaft warenzeichenrechtlich geschützt.



*Im Laboratorium*  
Nach einer Agfacolor-Neu-Kleinbildaufnahme



## The I. G. Farbenindustrie

By the steady development of chemical science and technic the reputation of inventors and scientists is receiving an always renewed and stronger brightness. It is the issue of contractors and business men to make use of the results originating in this development for the German economy. Again and again manpower, time and money have to be put in for plans and projects the future returns of which only depend on ability and success of scientific work. At all times the confidence in the ability of research — directed on this final aim — has been visible with the German business men in the most convincing manner. The share the business man of the German chemical industry had in the economical development of his country has been very important.

The great pioneering results are running parallel with the development of the chemical industry itself; from the very beginning chemical research had to be driven forward with all energy in order to keep a top place in scientific work as well as the business man is forced daily to maintain and to broaden his field of activities. Even if world-wide organisations are at their disposal to secure and widen sales, nevertheless every day the problem of strengthening and broadening the own organisation has to be solved by the administrative direction and its staff at home and abroad, day for day in a new way and in consideration of present conditions.

In his yearly balance sheet the business man is measuring earnings and losses. It is here, where he puts himself responsible in front of the rule of economic success. This balance is looking inwards. There is another balance to be struck. Here he puts himself responsible in front of the superior rule of the nation's economical welfare. Here he is to probe which general benefits his efforts are giving to the German people, he is to probe what he did to advance the independence of the German economy. In this balance, in this accounting one recognizes that also the business men know their part of responsibility for the reputation of German economy and the esteem of the German name. With strong, calm hands, with clear sight and with a weighing but also daring spirit they are participating in the efforts of strengthening Germany's importance in the world. In the same degree method replaced casual success in the techno-scientific field it also replaced casual success in the business men's field of activities. Almost in no other branch of industry the two great methodical central problems of German economical policy meet for such a convincing clear expression as in the chemical industry. These two urgent central problems are: Execution of the Four-

Years-Plan and increase of exports. Especially the chemical industry is taking part in the development and in the large scale technical production of new *Werkstoffe* and *Austauschstoffe*. Besides of this its products represent within the total German export the most important groups concerning quantity and value. In the case of I. G. these two issues of German economical policy are in closest connection with the variety of research, planning and organisation. If I. G. takes so seriously its responsibilities for these problems it is fulfilling its noblest duty for the German people and the world, which always especially respected the work accomplished by I. G.

What is chemistry particularly? What is chemical industry? Those questioning historical volumes will learn many things worth knowing. The retorts of alchemists, the witches' kitchens of gold-makers will revive before one's eyes. With respect one will read of daring and wholehearted men, who at first created an intellectual and later on an economical home for chemistry, who in contradiction to their contemporaries declared the "magic art", this "devilment" a science. By systematic experiments they opened a road which took them to immense economical fields, to a country of unlimited possibilities: One may try to follow the development, one may try to find a connection between the "witches' kitchens" of the

World map made of Hydronallium in the new  
»Bayer« Administration building, Leverkusen

## Die I. G. Farbenindustrie Aktiengesellschaft

Der Ruhm des Erfinders und Forschers erhält einen immer neuen und stärkeren Glanz durch das stetige Fortschreiten chemischer Wissenschaft und Technik. Aufgabe der Unternehmer und Kaufleute ist es, die Leistungen, die diesem Fortschritt entspringen, für die deutsche Wirtschaft auszuwerten. Arbeitskraft, Zeit und Kapital müssen immer wieder für Pläne und Vorhaben eingesetzt werden, deren künftiger Ertrag allein von dem Können und dem Erfolg wissenschaftlicher Arbeit abhängt. Dieses auf ein Fernziel gerichtete Vertrauen in die Leistungsfähigkeit der Forschung ist zu allen Zeiten beim deutschen Kaufmann in stärkster Weise in Erscheinung getreten. Groß ist der Anteil, den der Kaufmann der deutschen chemischen Industrie an der wirtschaftlichen Entwicklung seines Landes genommen hat.

Die großen Pionierleistungen begannen zugleich mit der Entwicklung der chemischen Industrie überhaupt; aber ebenso wie von Anfang an die chemische Forschung mit voller Kraft weiterbetrieben werden mußte, um auf der Höhe wissenschaftlicher Leistung zu bleiben, ist der Kaufmann gezwungen, sein Arbeitsfeld täglich zu behaupten und zu erweitern. Der Sicherung und Vermehrung des Absatzes stehen zwar Weltorganisationen des Vertriebs zur Verfügung, aber jeden Tag muß die Aufgabe, die Organisationen zu festigen und auszubauen, neu und in einer der jeweiligen Zeitlage angepaßten Form von den kaufmännischen Leitern und ihrem Stab daheim und draußen gelöst werden.

In seiner jährlichen Bilanz hat der Kaufmann Gewinn und Verlust zu messen, in ihr verantwortet er sich vor dem Gesetz des wirtschaftlichen Erfolges. Diese Bilanz sieht gleichsam nach innen, es gibt daneben eine zweite Bilanz, die der Kaufmann zu ziehen hat, in ihr verantwortet er sich vor dem höheren Gesetz volkswirtschaftlicher Wohlfahrt, in ihr prüft er, welchen Gemeinnutzen seine Arbeit für das deutsche Volk verkörpert, was er getan hat, um die Unabhängigkeit der deutschen Wirtschaft zu fördern. In dieser Bilanz, in dieser Rechenschaft kommt zum Ausdruck, daß sich der Kaufmann im besonderen Maße mitverantwortlich fühlt für den Ruf der deutschen Wirtschaft und den Klang des deutschen Namens. Mit fester ruhiger Hand, mit einem klaren Blick und einem wägenden, aber auch wagenden Geist beteiligt er sich an der Mehrung der Weltgeltung Deutschlands. Wie auf technisch-wissenschaftlichem Gebiet an die Stelle des Zufallserfolges vergangener Epochen die Planmäßigkeit getreten ist, so auch im Arbeitsbereich des Kaufmannes. Bei kaum einem Industriezweig kommen die beiden großen planvollen zentralen Aufgaben deutscher Wirtschaftspolitik zu einem so übersichtlich klaren Ausdruck wie in der chemischen Industrie. Diese beiden vordringlichen zentralen Aufgaben lauten: Durchführung des Vierjahresplanes und Exportförderung. An der Entwicklung und der großtechnischen Erzeugung neuer Werk- und Austauschstoffe ist gerade die chemische Industrie in vielseitigster Weise beteiligt, daneben bilden aber auch

ihre Produkte im Gesamtrahmen des deutschen Exports mengen- und wertmäßig die bedeutendsten Gruppen. Bei der I. G. stehen diese beiden großen Aufgaben deutscher Wirtschaftspolitik im engsten Zusammenhang mit der ganzen Vielseitigkeit der Forschungs-, Planungs- und Organisationsarbeit. Wenn die I. G. ihre Verantwortung gegenüber diesen Aufgaben so ernst nimmt, so erfüllt sie damit ihre vornehmste Pflicht gegenüber dem deutschen Volk und der Welt, die stets die Leistungen der I. G. im besonderen Maße beachtete.

Was ist eigentlich Chemie, was ist chemische Industrie? Wer auf diese Frage die Geschichtsbücher zu Rate zieht, wird viel Wissenswertes erfahren. Die Retorten der Alchimisten, die Hexenküchen der Goldmacher werden vor seinem Auge erstehen. Er wird voller Bewunderung von den kühnen und beherzten Männern lesen, die der Chemie zunächst einen geistigen und dann auch wirtschaftlichen Lebensraum schufen, die diese „schwarze Magie“, diesen „Teufelsspek“ gegen ihre Umwelt für eine Wissenschaft erklärten und ihr durch planmäßige Experimente einen Weg freilegten, der unermeßliche Wirtschaftsgebiete erschloß, ein Reich schier unbegrenzter Möglichkeiten. Aber wie sehr man auch der Entwicklung nachspürt und von der Hexenküche der Goldmacher und den geheimnisvollen Gerätschaften und Säften der Alchimisten zu



Weltkarte aus Hydronallium im neuen  
»Bayer« Verwaltungsgebäude, Leverkusen





den lichtdurchfluteten Laboratorien und den weitgespannten Fabrikhallen und den hochstrebenden Kühltürmen der modernen chemischen Werke ein geistiges Band zu legen versucht — etwas Geheimnisvolles und vielleicht sogar das Erregendste verschließt sich einem nur historisch vorgehenden Erkenntnisstreben: daß die Chemie, daß chemisches Denken seit der Jahrhundertwende und erst recht in unseren Tagen den Lebensrhythmus unserer und der heranwachsenden Generation wesentlich mitbestimmt. Seit Jahren wird ja unserer Zeit der Name „Zeitalter der Chemie“ gegeben. Das geschieht nicht so sehr, weil alte Träume erfinderischer Sehnsucht, die Stoffe zu wandeln und neu zu schaffen, in einst ungeahnter Weise Wirklichkeit geworden sind, sondern vornehmlich, weil im theoretischen Denken wie im praktischen Handeln chemische Überlegungen tagtäglich für jedermann eine entscheidend wichtige Rolle spielen.

Auto und Flugzeug zu benutzen, Radio zu hören, gegen die gefährlichsten Krankheiten anzugehen, das Leben der Menschen zu verlängern, den Ertrag der Felder zu steigern, sich hygienisch zu kleiden und zu ernähren — ohne Chemie und auch ohne ein gewisses Maß von chemischem Denken auch des Verbrauchers wären alle diese Errungenschaften nicht zu dem großartigen Allgemeingut geworden, dessen praktische Segnungen mit dem Wort „Zeitalter der Chemie“ ebenso gemeint sind wie die besonderen wirtschaftlichen und technisch-wissenschaftlichen Aufgaben, die der Chemie und der chemischen Industrie gestellt sind. Daß ein Bedürfnis nach Aufklärung über die Leistungsfähigkeit chemischen Schaffens stärker denn je ist, zeigen die Messen und Ausstellungen, die Neuerscheinungen des Büchermarktes, die Darbietungen von Film und Rundfunk und die Berichterstattung der Tagespresse. Zwar hat die Chemie immer die Aufmerksamkeit aller fortschrittlich Denkenden gefunden, aber das Neue und im wahrsten Sinne des Wortes „Epochemachende“ ist das allgemein gewordene Bedürfnis, an der Entwicklung der Chemie lebendigsten Anteil zu nehmen, um die Bedarfslenkung zu verstehen und um neue Anregungen zu gewinnen. Wohl sind es nicht die letzten Fragen und die verwickelten Gedankengänge chemischer Forschung und Praxis, die alle, ob jung oder alt, begeistern und erregen können; aber der Wille, sich zu unterrichten, und sei es nur durch erste Einführungen und durch volkstümliche Abhandlungen, ist vorhanden und überall spürbar. Geweckt wurde er durch die Deutschland gestellten

*Rheinkai eines I.G.-Werkes*

gold-makers, the mysterious equipment and the liquids of the alchemists and the well-lighted laboratories, the large factory-halls and the rising cooling-towers of modern chemical works — something mysterious and, may be, the most exciting rests hidden to those studying in a merely historical method. Since the beginning of this century and mainly in our days chemistry, and chemical thinking are essentially influencing the life rhythm of our and the following generation. Since years they call our époque the „age of chemistry“. They do so not only because the old dreams of scientists, to convert elements and to create them newly, came through in an once unbelievable way, but mainly because day for day chemical considerations play a decisively important rôle in everybody's critical thinking and practical action.

To use motor-cars and planes, to listen to the radio, to fight the most dangerous diseases, to prolong men's life, to increase crops, to dress and to feed hygienically without chemistry, and also without a certain extent of chemical thinking on the consumer's side all these achievements would not have become the grand common possessions the practical blessings of which are meant by the name „Age of Chemistry“, as well as the particular economical and technico-scientific problems, which are put before chemistry and chemical industry. That the desire for instruction about the possibilities of chemical working is more urgent than ever to prove the novelties on the book market, the subjects of motion pictures and radio programs and the newspaper reports, fairs and exhibitions. Although chemistry always has been paid attention to by all progressively thinking men the new and — in the word's real meaning — „epoch-making“ is the general desire to get acquainted with the development of chemistry, the desire to understand „demand-control“ and to find new ideas. Certainly it are not the final problems and complicated thoughts of chemical research and practice which can fill with enthusiasm and excite old and young ones. But present is the desire for information, be it by general introductions and popular discussions, and this desire can be felt everywhere. This desire had been created by the

*Quay of an I.G.-Work on the Rhine*



*From here the products are leaving for all over the world*

problems of economical policy put to Germany. Each one of the big chemical concerns which not intends merely to follow the new time but to proceed it, has to maintain research laboratories and experimental stations to the largest extent. For decades chemistry does not work any more in a haphazard, but in a scientifically directed way. All possibilities recognizable so far only in general are tried out as well in the form of new products and methods as in the perfection of production methods already known. Therefore on one hand research has systematically to cooperate and to supplement itself and on the other hand research has to specialize efficiently. For this reason the amounts spent by I.G. on laboratories and experimental stations are very high.

To a large degree I.G. owes its position in the German and world economy to the principle of quality production pursued in each one of its widespread fields of activities. The maintenance of this principle caused very many difficulties to I.G.'s scientists. The success of these never-ending efforts is convincingly delivered by the popularity which the words "I.G." have not only among international chemical circles but also among the nations themselves. Hereby such a store of confidence has been created for the sales organisation requiring the highest exertions on its part.

In addition to the products of I.G. agreements of

different forms and character have built bridges to foreign nations. The most careful handling of exports and permanent advancing of international economic relations presupposes that the chemical sales organisations must not go out for one-sided profits. On the contrary they should have a long-sighted aim and a line of conduct leading to the wishes and needs of the other partner. That is even more necessary because the exported goods — offered to industry and business of foreign countries — always represent in the highest degree an intellectual export, an export of inventive genius and spirit of research, be it the matter of exports of goods or of sale of licenses for production or processing. In all international conventions they have to be the other partner's ally, to deliver him the best and most modern and to further everything leading to an organic and reasonable development. For both parties such methods should result in a healthy relation, which does not favour only one side but brings advantages to either partner. By the leading sales managers of I.G. and their staffs the words "I.G." have always been understood to represent genuine progressiveness.

To realize this principles already at the time of the amalgamation the administrative organisation of I.G. was built up accordingly. Groups were formed including either related finished products or products going together on the same markets.



*Von hier gehen die Produkte in alle Welt*

wirtschaftspolitischen Aufgaben. Jedes chemische Großunternehmen, das der neuen Zeit nicht folgen, sondern vorangehen will, muß Forschungsstellen und Versuchsanstalten in größtem Umfange unterhalten. Denn es handelt sich in der Chemie schon seit Jahrzehnten nicht mehr um ein planloses, sondern um ein nach streng wissenschaftlichen Grundsätzen ausgerichtetes Abtasten aller im Umriss bereits irgendwie erkennbaren Möglichkeiten, sei es in Gestalt neuer Produkte und Verfahren oder in der Vervollkommenung schon bekannter Produktionswege. Die Forschung muß darum einmal planmäßig zusammenarbeiten und sich ergänzen, andererseits muß sie sich wirksam spezialisieren können. Deshalb sind natürlich auch die von der I.G. für Laboratoriumszwecke und Versuchsanlagen ausgeworfenen Beträge sehr hoch.

Ihre Stellung in der deutschen Wirtschaft und in der Weltwirtschaft verdankt die I.G. nicht zuletzt dem steten Voranstellen des Qualitätsgedankens bei allen Entwicklungsarbeiten auf ihren weitverzweigten Gebieten. Die Aufrechterhaltung dieses Prinzips hat den Forschern der I.G. viel Mühe gekostet. Der Erfolg dieses rastlosen Strebens wirkt sich am besten in der Popularität aus, die der Name „I.G.“ nicht nur in den internationalen Fachkreisen, sondern auch bei den Völkern selbst genießt. Dadurch ist wiederum für den Kaufmann ein Vertrauenskapital geschaffen, das an ihn die höchsten Anforderungen stellt.

Neben den Erzeugnissen der I.G. haben Vereinbarungen verschiedener Art und Form Brücken zu

anderen Ländern geschlagen. Die Ausfuhr so aufs sorgfältigste zu pflegen und internationale Wirtschaftsbeziehungen nachhaltig zu fördern, setzt voraus, daß der Kaufmann der Chemie nicht darauf ausgehen darf, einseitige Vorteile zu suchen. Er muß vielmehr ein Fernziel haben, eine große Linie, die zu den Wünschen und Bedürfnissen des anderen Partners hinleitet. Das ist um so mehr notwendig, als das Exportgut, das er den Industriellen und Kaufleuten anderer Länder anzubieten hat, immer ein Höchstmaß von geistigem Export, von Erfindungskraft und Forschungsgeist darstellt, mag es sich dabei um die Ausfuhr von Erzeugnissen oder um den Verkauf von Herstellungs- und Veredlungsverfahren handeln. Bei allen internationalen Abmachungen hat er dem anderen stets Verbündeter zu sein, ihm das Modernste und Beste zu geben und das zu fördern, was im Zuge einer organischen und vernünftigen Entwicklung liegt, damit für beide Teile ein gesundes Verhältnis von Binnenmarkt und Weltmarkt, von Inlandsumsatz und Ausfuhr entsteht, das nicht die Vorteile nur nach einer Richtung hin verteilt, sondern beiden Partnern zugute kommt. Der Name „I.G.“ ist auch in diesem weltwirtschaftlichen Sinne von den leitenden Kaufleuten der I.G. und ihren Mitarbeitern zu einem Zeichen echter Fortschrittsfreudigkeit erhoben worden.

Um diese Grundsätze zu verwirklichen, wurde bereits bei der Gründung auch der kaufmännische Betrieb der I.G. entsprechend gegliedert — und zwar sind immer die Erzeugnisse zusammengefaßt, die entweder als Fertigerzeugnis oder marktmäßig zusammengehören;



*Laboratoriumsarbeit*

dem Erzeugnisse können wissenschaftlich und produktionstechnisch verwandt sein und nebeneinander entstehen, wirtschaftlich aber können sie ganz verschiedene Wege gehen. Erzeugnisse, die zusammengehören, werden durch besondere Verkaufsgemeinschaften und -einrichtungen vertrieben. Wer sich näher mit der I.G. befaßt, stellt schon an Hand ihres Geschäftsberichtes oder ihrer sonstigen Veröffentlichungen fest, daß dieser gewaltige Komplex aus durchgegliedert ist und nach Gesetzen geformt wurde, die ebenso frei von Zufall und Willkür wie von Schematismus sind. Produktionstechnisch fällt vor allem auf, daß die Betriebsstätten der I.G. in der deutschen Landschaft verstreut liegen, vom Rhein bis nach Mitteldeutschland, von Schwaben bis nach Norddeutschland hinan. Keines dieser Werke ist willkürlich ohne eine wirtschaftliche oder technische

Notwendigkeit in diese große Produktionsgemeinschaft einbezogen worden. Die I.G. feierte in der letzten Zeit eine Reihe von Werksjubiläen, die zeigten, daß jede Entwicklungsstufe der I.G. und ihrer Gründerfirmen sich in organischem Wachstum vollzog. Die Aufmerksamkeit, die die Jubiläums-Veröffentlichungen fanden, zeigte wiederum, daß das Gebiet der Chemie, das sich durch exakteste Forschung und oftmals äußerst komplizierte Verfahren von anderen abhebt, heute nicht mehr für so unzugänglich und fremdartig gehalten wird, wie in früheren Jahrzehnten. Der erste bedeutende Wandel setzte in dieser Beziehung mit der Jahrhundertwende ein, als mit der großtechnischen synthetischen Herstellung von Indigo ein einzigartiger Erfolg in der Farbchemie errungen war. 40 Jahre zuvor, im Jahre 1856, war der erste Teer-

Scientifically and technically products may be related and may be manufactured by the same process but they may entirely diverge in their industrial use. Products belonging together are handled by special sales organisations and installations. The person interested more closely in I. G. will soon find out from the yearly report and other publications that this immense construction is subdivided to the utmost and built according to rules free from incidents and arbitrariness as well as from red tape. What concerns production, it is remarkable that the factories of I. G. are spread all over Germany, from the Rhine to Central Germany, from Suedbia to Northern Germany. Not one of these works has been included

in this organisation of production arbitrarily without economical or technical necessity. Lately I.G. celebrated a number of work-jubilees, which proved the organic growing of I.G. and of its founder-firms in every state of development. The attention paid to jubilee-publications proved again that chemistry, which differs from other sciences by exactest research and often very complicated processes, today is not any more considered as inaccessible and strange as in former decades. In this respect the first important change set in around 1900, as by the synthetical production of Indigo on a large scale an unique success was secured for the dyestuff-chemistry. 40 years ago, 1856, the first tar-dyestuff

*Work in a laboratory*



had been discovered by accidental observation. Since then the chemists always were on the outlook for new dyestuffs. Already two years later Fuchsine was found. The synthesis of Alizarine, the coloring principle of madder-roots, followed. By transformation Fuchsine was brought out in all kinds of colours. Since the Indigo-synthesis the dyestuff-industry succeeded in producing an almost numberless collection of dyestuffs. Especially the Indanthrene-colours gained importance. Owing to their extreme fastness they find an always growing use.

Though in the sixties of the last century the German chemical industry originated in the dyestuff-production, the basis broadened thanks to the successes of its scientists from decade to decade. Thus soon the production of pharmaceuticals on a laboratory and, later on, on a manufacturing scale was taken up in addition to the production of tar-dyestuffs. This pharmaceutical work mainly on account of the undoubted uniqueness of its tropical remedies enjoys

an incomparable reputation among the nations of the world. It especially contributed to secure an estimation for German research not reached by any other country.

The German chemist also succeeded in increasing the fertility of the German soil, to a large extent whilst before World War I the German harvest was essentially dependant on imports of Chilean nitre. This dependance ceased with the the nitrogen-synthesis, with the German chemists, successful grabbing at the nitrogen in the air. Today it is commonly understood Germany is lastingly increasing and securing its supplies of agricultural products by use of synthetical nitrogen fertilizers.

In the era of growing motorisation the smokestacks of Leuna are belonging to the character of the German industrial landscape. They are practically of symbolic meaning. Not only the motorist but every German considers the gigantic installations

farbstoff durch zufällige Beobachtung entdeckt worden. Seitdem waren die Chemiker immer auf der Suche nach neuen Farbstoffen. Schon zwei Jahre später fand man das Fuchsin. Dann folgt die Darstellung des Alizarins, des färbenden Bestandteils der Krappwurzel, das durch Umwandlung in immer neuen Farben herausgebracht wurde. Seit der Synthese des Indigos gelang der Farbenchemie eine nahezu unübersehbare Reihe von Farbstoffserzeugnissen. Durchgesetzt haben sich hiervon in besonderem Maße die Indanthren-Farben, die wegen ihrer hervorragenden Echtheit eine immer breiter werdende Verwendung finden.

Nahm auch die deutsche chemische Industrie in den sechziger Jahren des vorigen Jahrhunderts ihren Ausgang von der Farbstoffherstellung, so erweiterte sie doch von Jahrzehnt zu Jahrzehnt dank der Erfolge ihrer Wissenschaftler ihre Grundlage; so trat zu der Erzeugung von Teerfarbstoffen die laboratoriums-mäßige und bald auch die fabrikatorische Erzeugung von Arzneimitteln, die heute in der ganzen Welt, nicht zuletzt wegen der unbestrittenen Einzigartigkeit ihrer

Tropenheilmittel, bei allen Völkern der Erde einen unvergleichlichen Ruf genießt, der sogar wesentlich dazu beitrug, der deutschen Forschung eine von keinem Land erreichte Wertschätzung zu sichern.

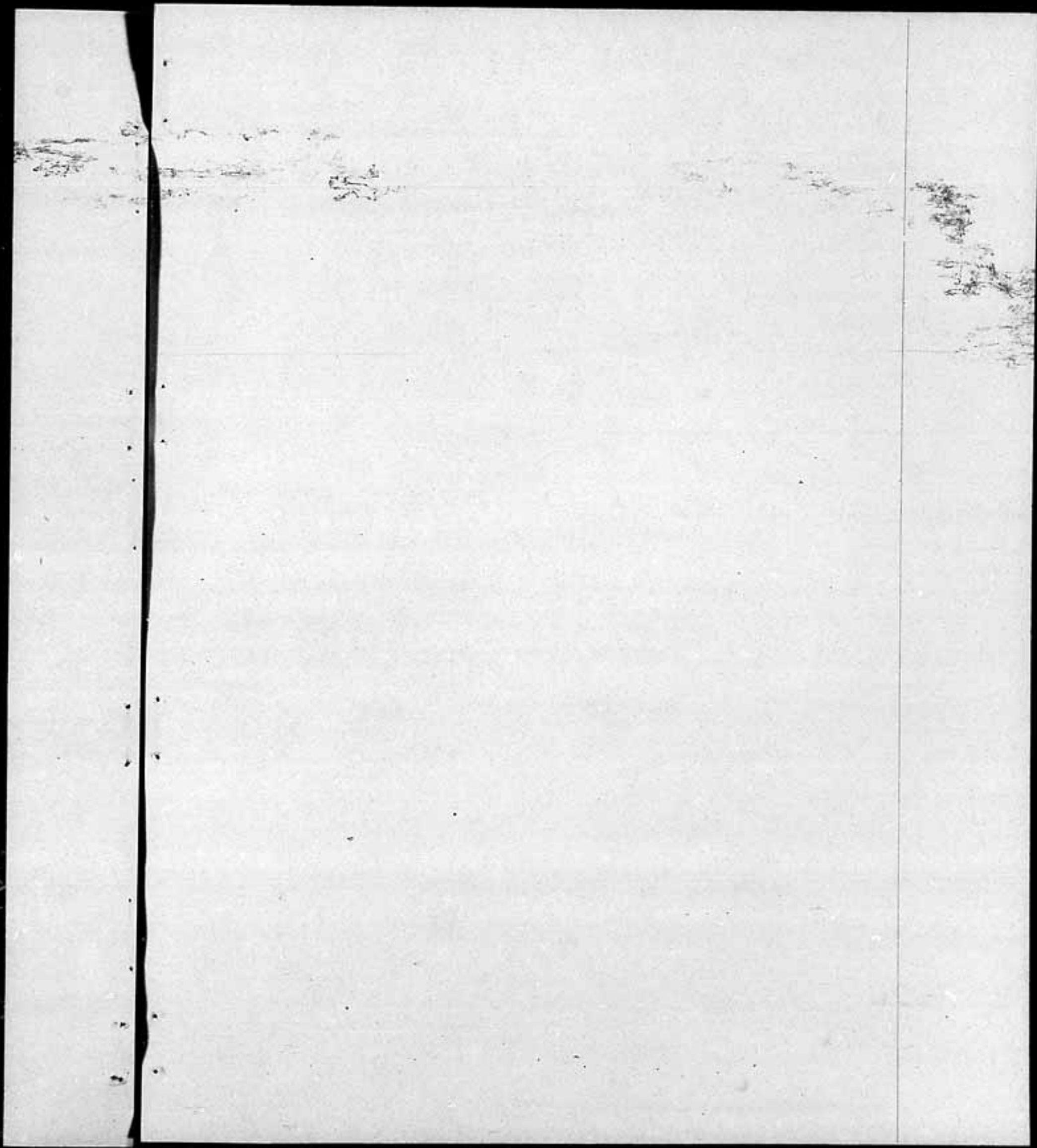
Dem deutschen Chemiker gelang es auch, die Ertragskraft des deutschen Bodens ganz erheblich zu steigern. War die deutsche Ernte vor dem Weltkrieg noch wesentlich abhängig von der Zufuhr von Chile-Salpeter, so wurde auch diese Unselbständigkeit durch die Stickstoff-Synthese, durch den erfolgreichen Griff des deutschen Chemikers nach dem Stickstoff der Luft, beseitigt. Heute empfinden wir es als selbstverständlich, daß Deutschland seine Versorgung mit landwirtschaftlichen Gütern durch die Verwendung synthetischer Stickstoffdüngemittel nachhaltig steigert und sicherstellt.

Im Zeitalter wachsender Motorisierung sind es vor allem die Schornsteine von Leuna, die zu dem Bild der Industrielandschaft der deutschen Chemie gehören und denen eine gleichsam symbolhafte Bedeutung zukommt. Nicht der Kraftfahrer allein, auch jeder Deutsche erblickt in den gigantischen Anlagen von

Laboratory

Laboratorium



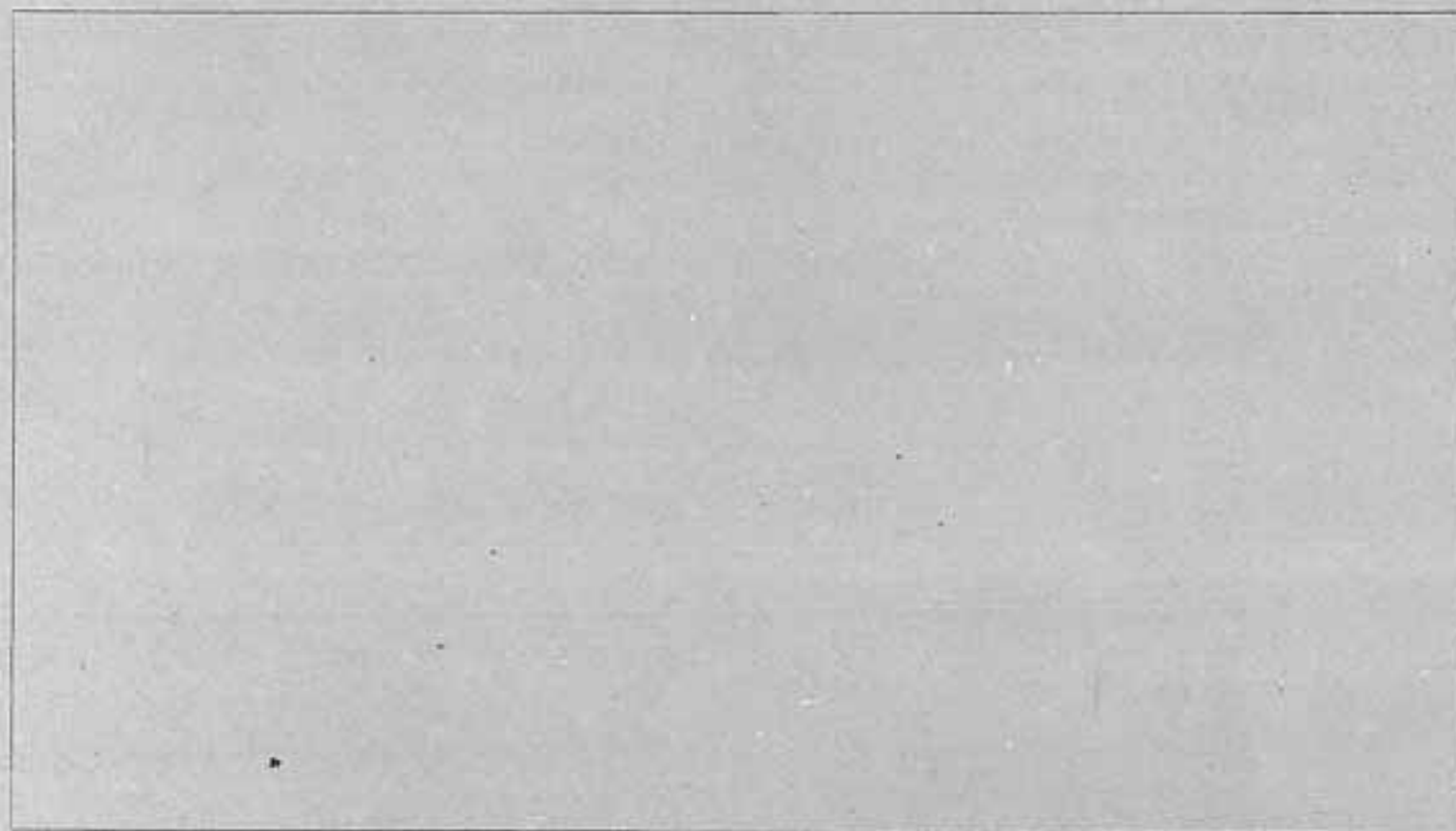




of Leuna as visible proof for the constructive power of the German chemist. As a consequence of the efforts for Germany's fargoin motorisation this immense source of energy (it incessantly directs energies for innumerable motors in a wide-spread system of filling-stations) has attracted attention not only as a manufacturing plant; the method — applied in the large-scale installations, in the complicated system of pipes, boilers, cooling towers and gas tanks of Leuna and of other plants — also has become an object of striving studies of old and young ones. Much later in origin is the appreciation of an other achievement of our chemistry: the entirely successful chemical synthesis of caoutchouk. This month, four years have passed by since the site for the first German *Buna*-plant was designated in Central Germany, near the old village of Schkopau. The problems, which planning of factories brings up, then demanded an immediate solution; a strong impulse was given by the employment of the German technic in the struggle for Germany's economical independance and strengthening. Today the project is completed; a considerable portion of German caoutchouk consumption already is switched over to *Buna*. In the course of the current year the production of synthetical caoutchouk will be enlarged to a degree permitting the supplying of all German passenger cars with *Buna*-tires. With an important part of these and still other products (i. e. *Viskra*, the first *Zellwolle* (staple fibre) of the world, the light metal *Elektron* and different synthetical resins have to be mentioned) this fairy land of chemistry

lives in everybody's consciousness. To thousands of *Volksgeossen* (countrymen) the production of the chemical industry's most valuable goods secures a job of which they know it is connected with the execution of the Four-Years-Plan, and by the efforts to further exports with the whole world economy. Together with the present aims of the German economical life also other products have to be mentioned. Apart from the substitutes which are to secure the provision of raw materials also those products are to be mentioned which on account of their preserving and furthering properties show only indirect though important results as for example the products of the Agricultural Department, novel paints, fire extinguishers as well as numerous other preparations employed in the struggle against waste. In spite of good will it might have been difficult for many foreigners to understand the order of the present moment to Germany's chemists. Though today the numerous new products are enjoying a growing recognition in international circles of experts, yet it might be considered mainly the merit of the German export organisation of the chemistry. Its men succeeded in winning this new reputation either by the direction of sales or by exercising the extremely difficult informative work in foreign countries themselves. The lack of the costless sun-energy of tropical economics, the shortage of natural raw materials as well as the quality of goods are arguments which explain the lasting impulse of productive research of the foreign partner.

Power House



Leuna den sichtbarsten Leistungsbeweis für das aufbauende Können des deutschen Chemikers. Die gewaltige Kraftstoffquelle, die in diesem Werk ohne Unterlaß die Energien für zahllose Fahrzeugmotore in ein weit verzweigtes Tankstellennetz leitet, hat gerade wegen der Anstrengungen, die auf eine umfassende Motorisierung Deutschlands gerichtet sind, nicht nur als Produktionsstätte die Aufmerksamkeit auf sich gezogen; auch das Verfahren, das in den großtechnischen Anlagen, in dem verwickelten System von Röhren, Kesseln, Kühltürmen und Gasbehältern in Leuna und in anderen Werken angewandt wird, ist für jung und alt Gegenstand eines ernsthaften Erkenntniswillens geworden. Viel jünger ist die hohe Wertschätzung einer anderen Leistung unserer Chemie: die vollkommen gelungene chemische Synthese von Kautschuk. In diesen Monaten sind vier Jahre vergangen, seit der Standort für die erste deutsche *Buna*-fabrik in Mitteldeutschland, in dem alten Dorfe Schkopau, festgelegt wurde. Die Aufgaben, die eine Werksplanung stellt, drängten damals zu einer raschen Lösung: einen starken Antrieb gab der Einsatz der deutschen Technik in dem Kampf um die Sicherung der wirtschaftlichen Unabhängigkeit und der Wehrhaftigkeit. Heute ist das Projekt vollendet, ein beachtlicher Teil des deutschen Kautschukverbrauches ist bereits auf *Buna* umgestellt, und noch im Laufe dieses Jahres soll die Erzeugung von synthetischem Kautschuk so ausgebaut sein, daß alle deutschen Personenwagen auf *Buna*-Reifen fahren können. Mit einem wichtigen Teil dieser und anderer Erzeugnisse — besonders hervorzuheben sind noch die Produktion von *Viskra*, der ersten *Zellwolle* der Welt, des Leichtmetalls *Elektron* und der ver-

schiedenartigsten Kunststoffe — lebt dieses Wunderland der Chemie im Bewußtsein aller. Tausenden von Volksgeossen gibt die Produktion der wertvollsten Güter der chemischen Industrie eine Arbeitsstätte, von der jeder in ihr Schaffende weiß, daß sie mit der Durchführung des Vierjahresplanes, den Anstrengungen zur Exportförderung und damit der gesamten Weltwirtschaft verbunden ist. Mit den gegenwärtigen Zielsetzungen des deutschen Wirtschaftslebens sind aber neben den Erzeugnissen für die Sicherung des Rohstoffbedarfs auch solche Produkte zu nennen, die durch ihre fördernden und erhaltenden Eigenschaften zwar nur mittelbar, aber doch mit nicht abschätzbarem Erfolg eingesetzt werden. Man denke nur an die Mittel für den Pflanzenschutz, an neuartige Anstrichfarben, an Feuerschutzmittel und zahllose andere Erzeugnisse, die im Kampfe gegen den Verderb für eine wirtschaftliche Sachwerterhaltung dienen.

Für viele Ausländer mag es im Anfang auch trotz guten Willens schwierig gewesen sein, den Befehl der Zeit an Deutschlands Chemiker zu verstehen. Wenn heute die zahlreichen neuen Produkte sich einer wachsenden Anerkennung der internationalen Fachkreise erfreuen, so darf man hierin vornehmlich ein Verdienst des deutschen Exportkaufmanns der Chemie erblicken, der in der Leitung des Verkaufs oder im Auslande selbst diese neue Wertung in meist äußerst schwieriger Aufklärungsarbeit errang. Das Fehlen der kostenlosen Sonnenenergie der Tropenwirtschaft, die Knappheit naturgegebener Rohstoffe sind ebenso wie die Güte der Waren selbst Argumente, mit denen er dem ausländischen Partner den nachhaltigen Impuls zu pro-

Im Kraftwerk





duktiver Forschung verständlich macht. Durch die Sachlichkeit seines Handelns hat der Kaufmann der Chemie in der ganzen Welt mit dazu beigetragen, daß im Ausland die Erkenntnis wuchs, daß Deutschland sich nicht mehr in den übernommenen Gesichtskreis einfügt, daß eine Änderung der Perspektive notwendig geworden ist. Dank seiner Tätigkeit haben sich die deutschen Werkstoffe bereits als ein vielsagendes Verständigungsmittel zur Welt hin bewährt. Jeder neue Werkstoff, gleich, welchen Weg er durch die verbundene Arbeit des Kaufmanns ins Ausland nimmt, klärt über Wesen und Bedeutung der Stoffumwandlung auf, macht den Sinn und die nationalwirtschaftliche Zweckmäßigkeit der Verbrauchlenkung offenbar und lehrt die in den neuen Stoffen verborgene, von Deutschland geleistete Forschungsarbeit richtig einschätzen.

Diese Haltung des deutschen Kaufmanns, diese Pioniertätigkeit ist auch für die gesamte Nation eine weiterführende Kraft. Voraussetzung für diese Erfolge ist die Erfüllung der vornehmsten Aufgabe des Exportkaufmanns: der Verkauf ausgezeichneter Erzeugnisse. Nichts herauszubringen, was nicht bis zum letzten durchgearbeitet und erprobt ist, nichts Halbes zu liefern, die Güte der Erzeugnisse wirklich zu garantieren, Spitzenleistungen zu bieten — das war stets das Programm der I.G., im Forschen wie im Fabrizieren, im Werben wie im Verkaufen. Durch zahllose Produkte ist sie so zum Botschafter deutscher wissenschaftlicher Leistung, Organisationsgabe und Wertarbeit in den fremden Kontinenten geworden. Ihr Ruf und ihre Führung leisten Gewähr dafür, daß auch bei der Aufnahme neuer Verfahren und Erzeugung

die Wahrung des Güte-Standards immer an erster Stelle steht. Diese Feststellung gilt gegenüber dem Verbraucher im Inland wie im Ausland, mag es sich dabei um Rohstoffe, Fertigprodukte oder um Verfahren handeln, die von der I.G. den Firmen anderer Länder zur Verfügung gestellt werden.

Nur bei allerintensivster Forschung in den Laboratorien freilich kann die I.G. diesen Entwicklungsstand behaupten und neue Fortschritte machen. Neue technische Stoffe lassen sich nur absetzen in Verbindung mit einer eingehenden technischen Beratung und einer Vorführung an Ort und Stelle. Vorher müssen in eigenen Werksanlagen die besten Methoden für die Anwendung des neuen Stoffes ausgearbeitet werden, mag es nun eine Farbe, eine Chemikalie oder ein Leichtmetall sein. Man braucht eine Färberei, eine Gerberei oder gar eine kleine Maschinenfabrik, um das in eigener Regie auszuprobieren. Vom Umfang der Forschung, die in den einzelnen Werken betrieben wird, erhält man aber erst einen ungefähren Begriff, wenn man bedenkt, daß in ihnen je nach Größe und Fabrikationsrichtung des Werkes Hunderte von Chemikern beschäftigt sind, die nur die eine Aufgabe haben, an neuen Problemen oder an der Verbesserung der alten Produkte zu arbeiten. Manche Versuche schlagen fehl, dennoch dürfen sie nicht unterlassen werden.

Alle diese Umstände, die ganze Eigenart der chemisch-technischen Arbeit muß gewürdigt werden, wenn man verstehen will, was Chemie, was chemische Industrie eigentlich ist. Was an der I.G., an der Ausdehnung ihres Arbeitsgebietes auffällt, ist ein unablässiges Streben nach Lückenlosigkeit der Forschung. Kein

Thanks to the objectivity of their negotiating the sales executives of the chemistry contributed all over the world to the growing understanding in foreign countries that Germany does not fit any more in the overtaken perspective, that a change has become necessary. Their efforts brought about that the German *Werkstoffe* proved an expressive mean of understanding to the world. It does not matter which way the new *Werkstoffe* take to foreign countries; owing to the sales organisation's advertising work each one of them explains character and importance of the conversion of elements, each one makes understandable the meaning and the national economical usefulness of directing consumption and helps crediting the researchwork performed by Germany, since the new materials are containing this work.

This attitude of the German business man, this pioneering is also a furthering power for the entire nation. The basis for all these successes means fulfilling the supreme task of export: sale of excellent goods. At any time it had been the principle of I.G. concerning manufacturing as well as research, advertisement as well as sales: to bring nothing on the market which has not been studied and tested thoroughly, to deliver nothing half-made, to guaranty the quality of goods and to offer top services. Owing to its innumerable products I.G. has become an ambassador of German scientific services, ingenuity for organisation and qualified labour in foreign countries. Its reputation

and its management guaranty that, if new methods and productions are taken up, the quality principle will keep its top place. This principle is valid for the consumer at home as well as abroad, be it raw materials, finished products or methods, which I.G. puts at the disposal of factories in foreign countries.

Only with the most intense research in the laboratories I.G. can keep this state of development and make further progresses. New technical materials may be sold only in connection with detailed technical advise and presentation on the very spot. Prior, in the own factories the best methods for the application of the new material have to be discovered, be it a dyestuff, a chemical or a light metal. A dyer's workshop, a tanning house or even a small machine factory are needed to try it out under the own auspices. Nevertheless as to the range of research performed in the different plants you will get a vague idea, if you consider, that within these plants according to size and manufacturing possibilities hundreds of chemists are at work. They all have the only job, to study the new problems or to improve the old products. Some of the experiments fail, yet they may not be omitted.

All these circumstances and the character of technological work has to be considered in order to understand what chemistry and chemical industry really represent. The remarkable fact with I.G. and with its range of work is the aiming at gapless research.

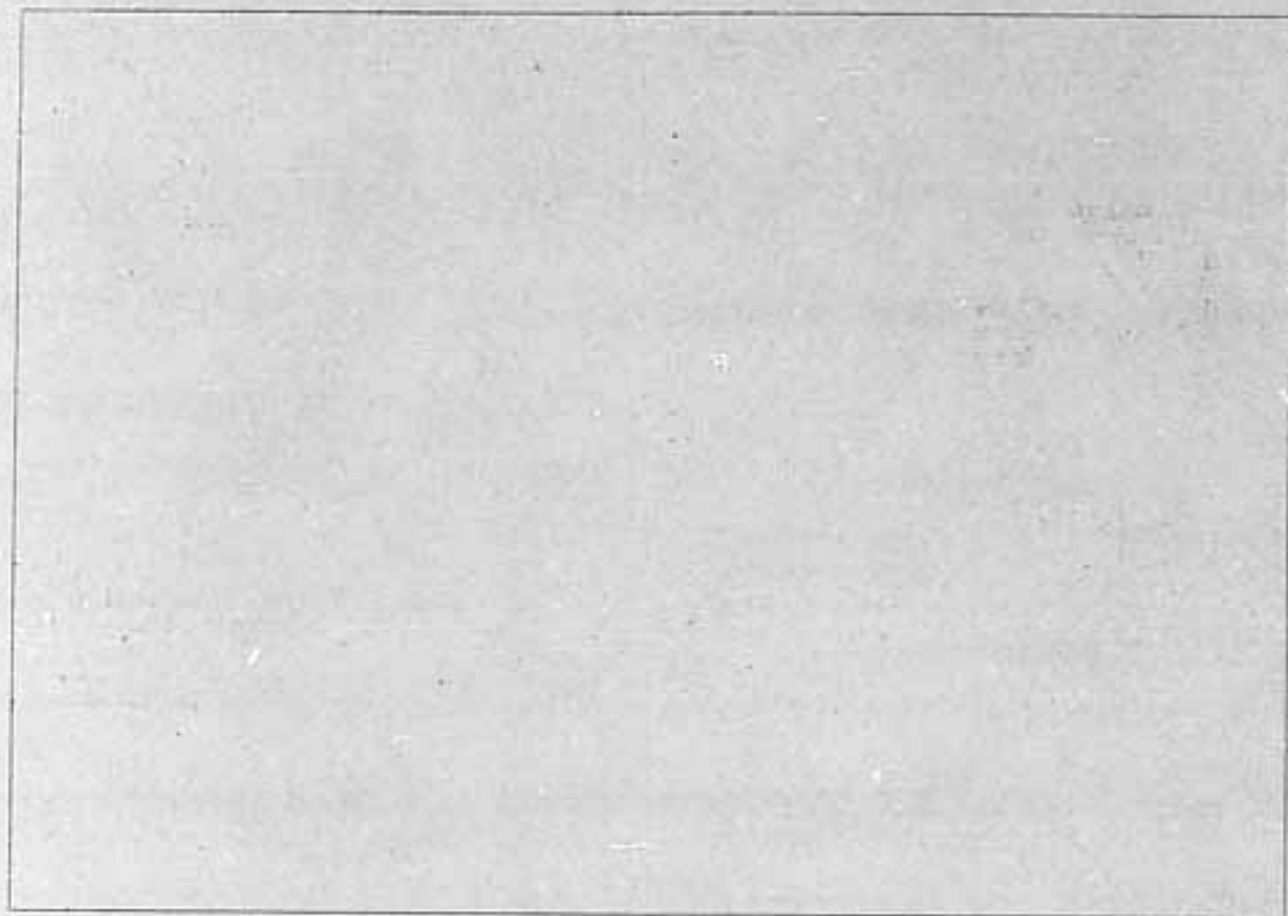


Arbeitspause

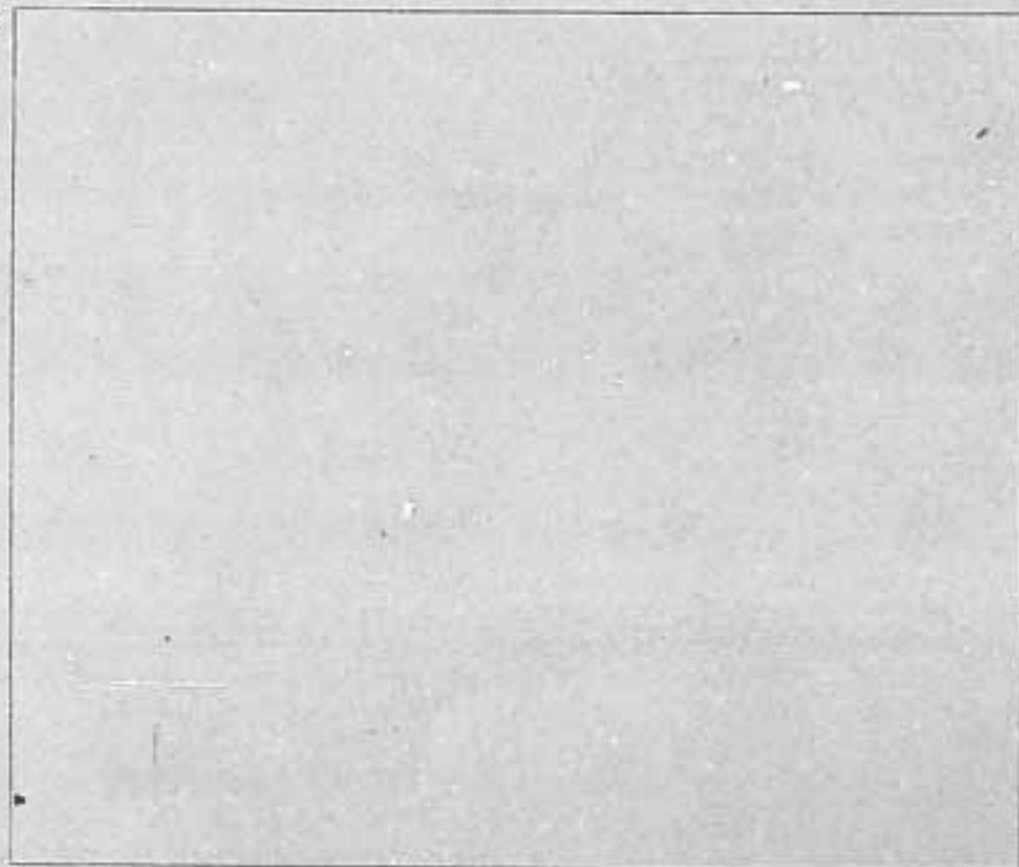


A quiet  
half an hour  
after lunch





*Worker's colony of I. G.*



*I. G.-Siedlung*



Zwischenprodukt, nichts wird zu gering geachtet, um nicht eine Verwertung zu überlegen. Das bisherige Ergebnis ist eine Fülle von Verwendungsmöglichkeiten, die kaum aufzuzählen sind, vom Färben bis zum Photographieren und Filmen, von der menschlichen Bekleidung bis zur Düngung des Ackers, von der Tierseuchenbekämpfung bis zum Heilmittel für den Menschen, vom Pflanzenschutz bis zum Motorenantrieb — ein Vielerlei, das dem Laien auf den ersten Blick leicht als ein Zuviel erscheint. Schaut er tiefer, so wird ihm klar, daß alle Erzeugnisse der Arbeit der I.G. den gleichen naturwissenschaftlichen Wurzeln entwachsen sind. Der gesamten Arbeitswelt der I.G. liegt eine einheitliche Kraft zugrunde.

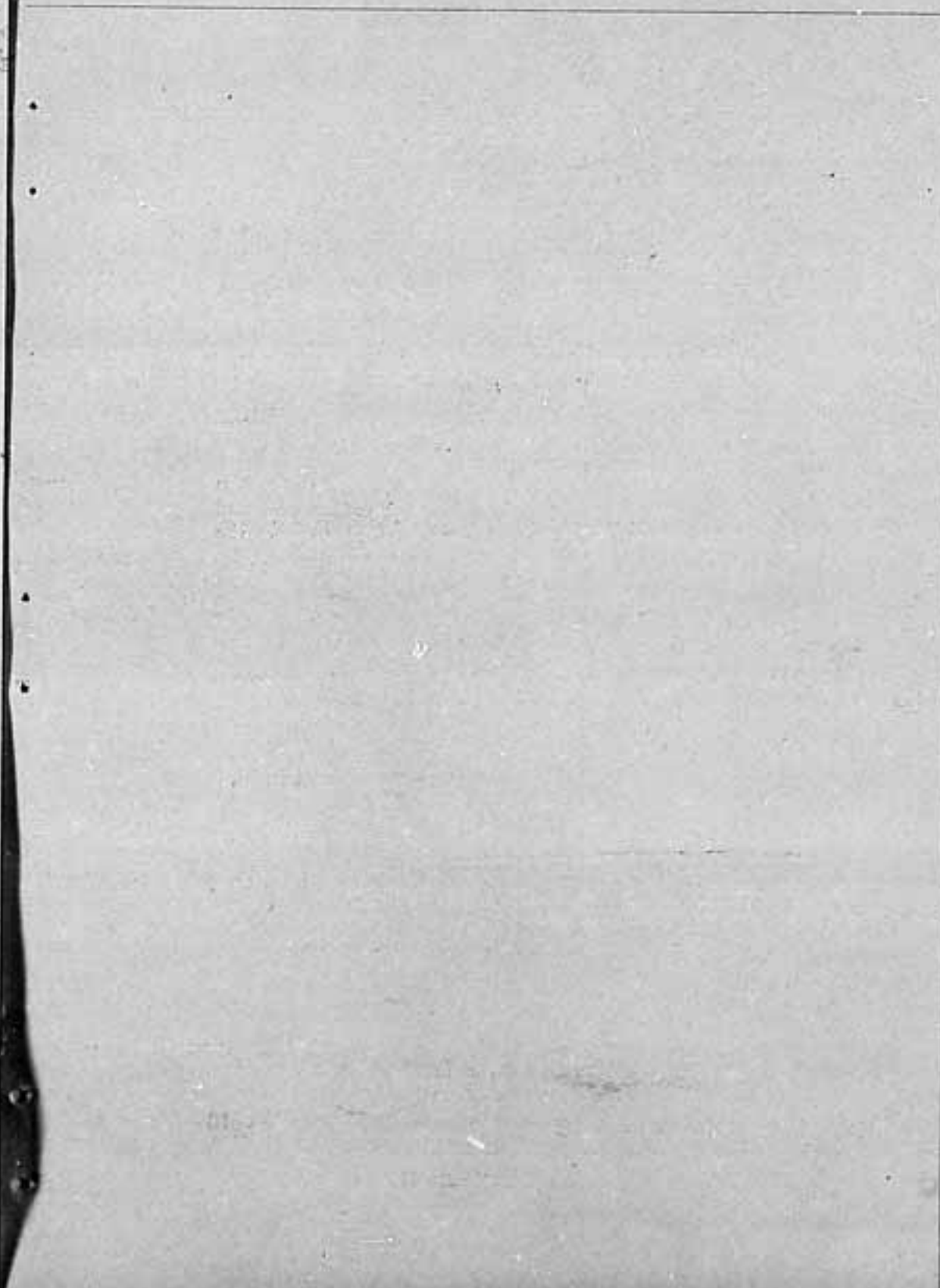
In den Geschäftsberichten der I.G. wird über die soziale Betreuung und Förderung der Gefolgschaftsmitglieder alljährlich der Öffentlichkeit ausführlich Rechenschaft abgelegt. Über den vielfältigen ausgedehnten Maßnahmen steht als oberste leitende Idee die Entwicklung eines gesunden, frohen Gemeinschaftsgeistes. Die praktischen Einrichtungen, die der Verwirklichung dieser großen Aufgabe dienen, lassen sich in den später zur I.G. zusammengeschlossenen Werken zum Teil bis in die achtziger und neunziger Jahre des vorigen Jahrhunderts zurückverfolgen, so vor allem die betriebliche Pensionsfürsorge für Arbeiter und Angestellte. Bis in die gleiche Zeit reichen aber auch Einrichtungen zur gesundheitlichen Betreuung der

There is no intermediate product, there is nothing what is regarded to unimportant not to consider utilization. Hitherto the results are almost innumerable possibilities beginning with dyestuffs, photography, human clothing, fertilizing the soil, fighting of animal epidemics, remedies for men, agricultural preparations and motor fuels. Such a variety might be regarded by an outsider as beyond the right measure. If he looks at it closer, he will recognize that all products of I. G.'s work are originating in the same roots of natural science. The entire world of I. G.'s work is based on a uniform power.

For the public the annual reports of I. G. give an account of the social welfare and caretaking for the personnel. The manifold, extended measures are governed by the supreme principle of developing a healthy, gay community life. In the works forming I. G. the technical installations serving the realisation of this great principle partly go back as far as to the eighties and nineties of the last century, i. e. mainly the caretaking for retired labourers and employees. The medical service for the personnel, their wives and children



Lehrlinge  
im Versuchslaboratorium



Apprentices in a  
experimental laboratory



#### Young workmen

is dating back from the same time as well as efforts for construction of factory-owned living-houses and settlements. Within I. G. there are some of an age of fifty and sixty years. Finally there are the numerous individual measures of social welfare character on the economical and cultural side and the problem of systematical furtherance of the young generation.

In tenths of thousands of loyal old laborers of I. G.'s founder-firms already then the grateful knowledge of a work-community has grown up. Without real will for work and hereby increased energy for work the unique successes of these firms on the technical and economical fields are not conceivable. Since decades the principal social problems were already recognized. Especially in the great fields of old-aged, medical and housing welfare the main foundations had been provided. Nevertheless the possibilities pointed out by party and state since 1933 brought a manifold enrichment and deepening of

#### Physical training



#### Jungarbeiter

Gefolgschaftsmitglieder und ihrer Frauen und Kinder zurück sowie die Bemühungen um die Errichtung von Werkwohnungen und Siedlungen, deren es bei der I. G. bereits solche mit dem Alter von fünfzig und sechzig Jahren gibt, und ferner die zahlreichen Einzelmaßnahmen sozialfürsorglicher Charakter auf wirtschaftlichem und kulturellem Gebiet und die Aufgabe einer planvollen Nachwuchsförderung.

In Zehntausenden von treuen Stammarbeitern der Gründerfirmen der I. G. ist so schon damals das dankbare Bewusstsein einer Werksgemeinschaft entstanden. Ohne wirkliche Arbeitsfreude und die dadurch gesteigerte Arbeitsenergie wären die einzigartigen Erfolge dieser Unternehmen auf technischem und wirtschaftlichem Gebiet nicht vorstellbar. So waren die grundsätzlichen sozialen Fragen schon seit Jahrzehnten erkannt und besonders auf den großen Gebieten der Alters-, der Gesundheits- und Wohnungsfürsorge wesentliche Voraussetzungen geschaffen worden. Dennoch brachten die von Bewegung und Staat aufgewiesenen Möglichkeiten seit dem Jahre 1933 eine mannigfaltige



#### Betriebsport





*Schichtwechsel*

Bereicherung und Vertiefung der sozialen Arbeit und gaben dem Ganzen einen der nationalsozialistischen Weltanschauung gemäßen Grundzug. Die Gesundheitsführung im Betrieb, die Ergänzung des Werkwohnungssystems durch eine lebhaftere Siedertätigkeit, der Ausbau und die Stärkung der Pensionseinrichtungen, der Grundsatz „Schönheit der Arbeit“ sowie der Bau hygienischer und sanitärer Betriebs-einrichtungen wurden planvoll belebt und durch die Mitarbeit jedes Gefolgschaftsmitgliedes sinnvoll gefördert. Diese sozialpolitischen Anstrengungen und Leistungen — handle es sich um die Jahresprämie, welche die Treueprämie und Gewinnprämie in sich vereint, um die Stärkung des Gefühls betrieblicher und kameradschaftlicher Zusammengehörigkeit durch die monatlich erscheinende Werkzeitschrift „Von Werk zu Werk“, um die lebendige Anteilnahme und Erfüllung der Bestrebungen der NS.-Gemeinschaft „Kraft durch Freude“, um die

Pflege des Betriebssportes und des örtlichen kulturellen Lebens — stehen in lebendiger Verbindung mit den Maßnahmen der reichsgesetzlichen Sozialpolitik und der Sozialpolitik der Deutschen Arbeitsfront im Kampfe um die Seele des deutschen Arbeiters. Der Leistungskampf der deutschen Betriebe, der Reichsberufswettkampf und eine planvolle Nachwuchsförderung erweitern die Grundlage der sozialen Arbeit der I.G.

Alle diese Maßnahmen festigen und vertiefen die Betriebsgemeinschaft und geben dem Arbeitskameraden das Empfinden, daß im Betrieb der Mensch das wichtigste ist.

Mit dem ersten Tage seiner Tätigkeit beginnt für den jungen Arbeitskameraden der I.G. die berufliche Ausbildung und Betreuung. Diese Nachwuchsausbildung, die eine vordringliche soziale Aufgabe geworden ist, verläuft in der chemischen Industrie anders als in den Betriebsstätten der verarbeitenden Industriezweige, denn für den Chemiewerker lautet die praktische Berufstätigkeit: Stoffe umwandeln! Nun ist die großtechnische Synthese viel schwieriger faßlich zu machen als die augenfällige Formgebung bestimmter Stoffe. Wenn beispielsweise die Arbeit des Schreiners oder Schlossers auch von dem Nichtfachmann wenigstens im Grundsätzlichen verstanden wird, so bedarf es dazu für die Arbeit der Chemie einer besonderen Aufklärung und Schulung und erst recht bei denen, die Mitthelfer in den Betrieben werden wollen, in denen sich die chemischen Prozesse abspielen.

Zu dieser allgemeinen Schwierigkeit, die vor allem darauf beruht, daß es keine augenfälligen Vorgänge sind, an denen es hauptsächlich zu arbeiten gilt, kommt noch hinzu, daß die chemischen Herstellungsverfahren eine außerordentlich große Vielfältigkeit aufweisen, so daß die Zahl der chemischen Berufstätigkeiten, die allein schon in der I.G. ausgeübt werden müssen, in die Tausende geht.

Wurde die bisherige Ausbildung von Jugendlichen, so wie sie sich in der I.G. entwickelt hat, von vielen Sachverständigen als vorbildlich beurteilt, so gilt doch, daß eine wesentliche Vervollkommenung und Erweiterung im vergangenen Jahre durch die Schaffung zweier neuer Ausbildungsberufe, nämlich des Chemiebetriebsjungwerkers und des Chemielaborjungwerkers erreicht worden ist. Die I.G. hat sich entschlossen, auf der neuen, vom Staate geschaffenen Grundlage in den großen Werken in diesem Jahre mit der Ausbildung ihres chemischen Nachwuchses zu beginnen.

Die Geschlossenheit der betrieblichen Sozialpolitik, die zweckvolle Gliederung der Forschung, der Produktion und die auf den Markt bezogene arbeitsteilige Verkaufsorganisation umreißen in der ganzen Fülle des sie beherrschenden Lebens und Strebens erst das, was eigentlich mit dem Wort und Begriff *chemische Industrie* gemeint ist.

Zwar hat jeder Wirtschaftszweig eine mehr oder weniger fest umrissene Aufgabe im Dienste des Volkes zu erfüllen. Während aber in anderen Industriezweigen bestimmte Gegenstände fabriziert werden, ist in der chemischen Industrie das Herstellungsprogramm unvergleichlich umfassender.

Neues zu schaffen, muß jedem in der I.G. leitend Tätigen ein Bedürfnis sein und der Dienst an der Gesamtheit eine freudig zu erfüllende Selbstverständlichkeit, wenn ein Unternehmen wie die I.G. Farbenindustrie Aktiengesellschaft auf keinem Gebiete zu einem Abschluß kommen will, sondern auf allen einen stetigen Fortschritt erstrebt. Erfolg hat nur das Unternehmen, das in Treue zu den übernommenen Aufgaben vernünftiges Wirtschaften als Dienst am Volksganzen wertet.

*Changing of shifts*

social work. They inverted the whole with a basic idea adequate to the nationalsozialistic „Weltanschauung“. The professional health principles, the addition of a vivid activity of house-building to the housing system of the works, the widening and the strengthening of installations serving the retired, the principle of „Schönheit der Arbeit“ (beauty of work), the construction of hygienic and sanitary factory-installations, all these measures were systematically stimulated and ingeniously advanced thanks to the cooperation of each one of the personnel. The annual premium including the loyalty- and the earning-premium, the furtherance of a feeling of professional and comrad-like companionship by the monthly issued inter-factory-newspaper „From work to work“, the cheerful participation and the execution of the NS.-Gemein-

schaft „Kraft durch Freude's“ ends, the attention to sports within the factories, and the attention to the local cultural life, all these efforts of social policy and achievements are in close connection with the measures of the German lawful social policy and the social policy of the German Arbeitsfront in its struggle for the soul of the German labourer. The Leistungskampf (contest of services) of German factories, the Reichsberufswettkampf (reich-wide professional contest) and systematical furtherance of the young generation, they widen the basis of I. G.'s social work.

All these measures intensify and deepen the professional companionship (Betriebsgemeinschaft) and give the fellow-worker the knowledge that the human being is most important within the factories.

With the first day of his work the professional training and caretaking starts for the young fellow-labourer. In the chemical industry the training of the young generation, which has become an urgent social problem, is different from the methods in the plants of the processing branches of industry. For the „Chemiewerker“ (person with chemical profession) the practical professional work means: converting materials! But a large-scale technical synthesis is much more difficultly understandable than the more obvious forming of certain materials. For instance, the work of a joiner, a blacksmith can be understood at least principally by a layman. The work of chemistry needs for understanding a certain amount of instruction and training, especially for those who want to do work in those plants in which chemical processes are going on.

To this general difficulty based on the fact that there are no visible reactions mainly to do work on, it is added that chemical production methods have an extremely great variety. Thus, the number of chemical professions which have to be exercised merely within I. G., numbers thousands.

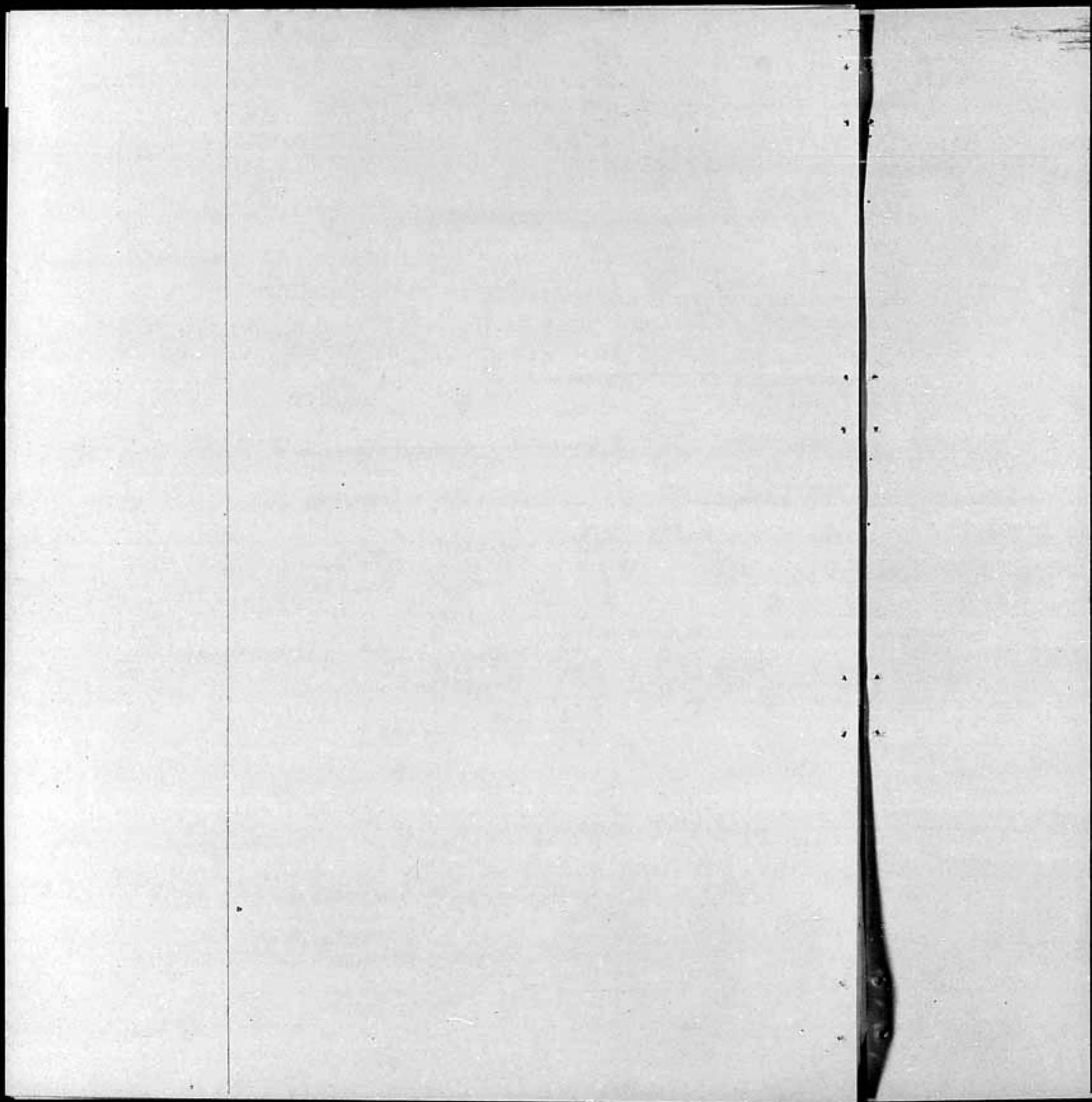
So far the training of young men as it had been developed by I. G. has been considered ideal by experts. Nevertheless it can be said, that during the last year an essential perfection and extension has been reached by the provision of two new categories of professional training, namely the one of Chemie-laborjungwerker and the one of Chemiebetriebs-laborjungwerker (laborers for chemical factory and laboratory service). I. G. decided to start this year with training its young men in its big factories according to the new governmental principles.

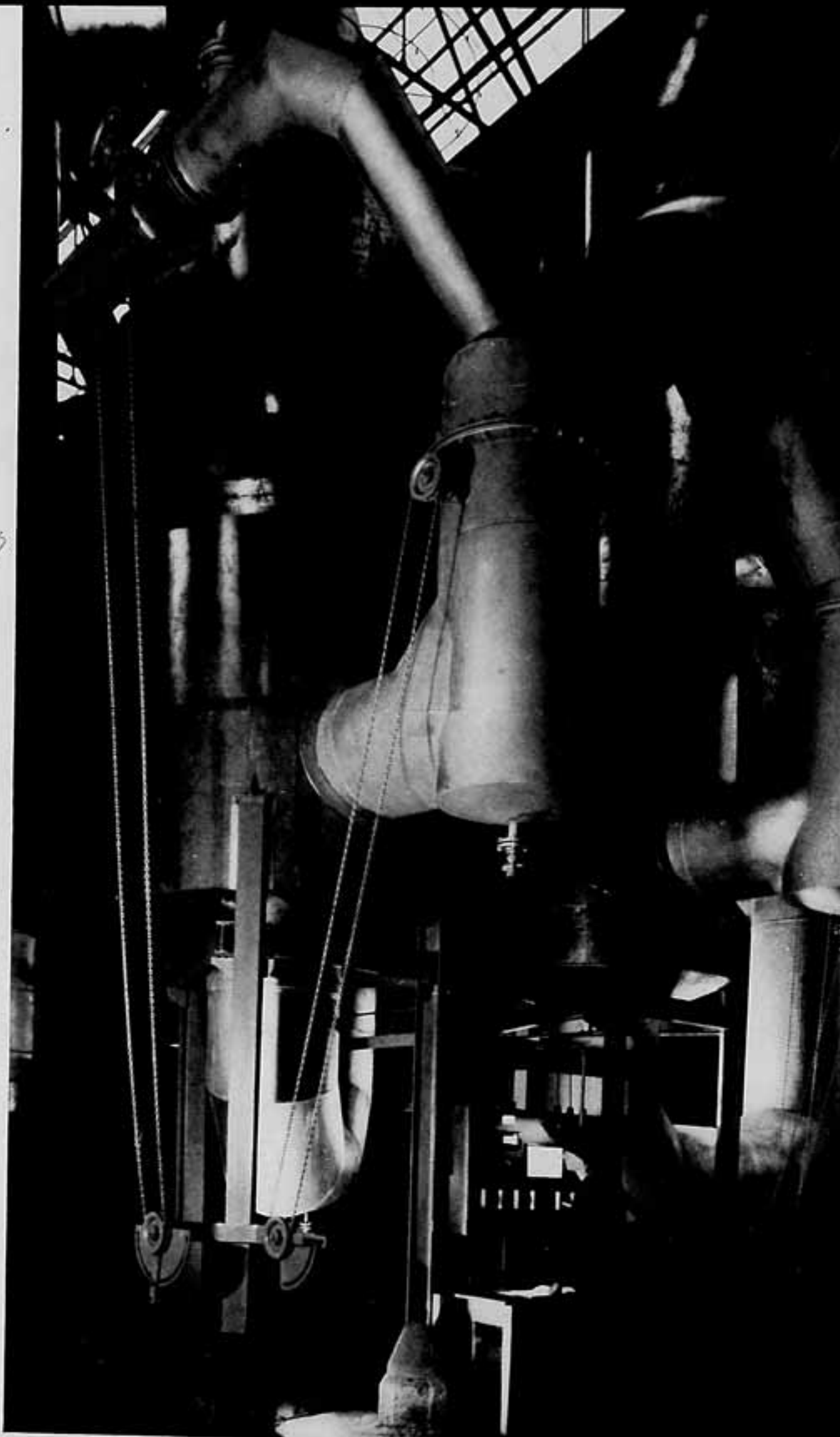
The uniformity of social policy within the works, the methodical structure of research, the production and the subdivided sales organisation — formed by the requirements of the markets — in the totality of their living and aiming embrace just what really is meant by the word and term „chemical industry“.

Every branch of economy has to fulfill a more or less closely limited task of services for the nation; but while other industrial branches are manufacturing certain goods, is the production programme of the chemical industry incomparably more extensive.

To create new things should be the intention of everyone in a leading position with I. G.; and services for the national well-being should be rendered cheerfully and self-understood, if a concern like I. G. nowhere wants a standstill but aims at steady progress in any branch. Only those firms are successful which in faithfulness to problems overtaken regard sound management as service to the totality of the nation.







*Experimental laboratory for dyeing*

The majority of the firms now amalgamated within I. G. started out from

**dyestuffs and auxiliaries.**

This dates back in the second half of the last century. Today the I. G. -assortment of synthetic dyestuffs comprises several thousand brands. They permit reproduction of all existing shades on textiles, wood, paper, leather, rubber and synthetic resins as well as in lakes. There exists almost no sector of industrial or hand-craft production where artificial dyestuffs are not used. They are continuously controlled by skilled personnel in respect to constant quality and power. Since decades these German tar-dyestuffs take their way through countries and over seas, packed in tropic-proof containers, signed with world-known

trade-marks. They find their way to the dyeshouses and households of foreign nations.

In the last years a large number of new ones have been added to the dyestuffs, auxiliaries and processing products for German and foreign use. Not only in all branches which make use of those products, enlargements due to business and technical moments were made, but in many cases totally new groups were created, which answer higher demands and increased technical needs.

Among the dyestuffs the assortment of the indanthren-brands, of the *Indigosole* and of the *Naphtol-AS*-products was remarkably widened. The products which show a progress in fastness, were often joined by such with new and more beautiful shades. The processes for dyeing staple fibre and staple fibre mixed

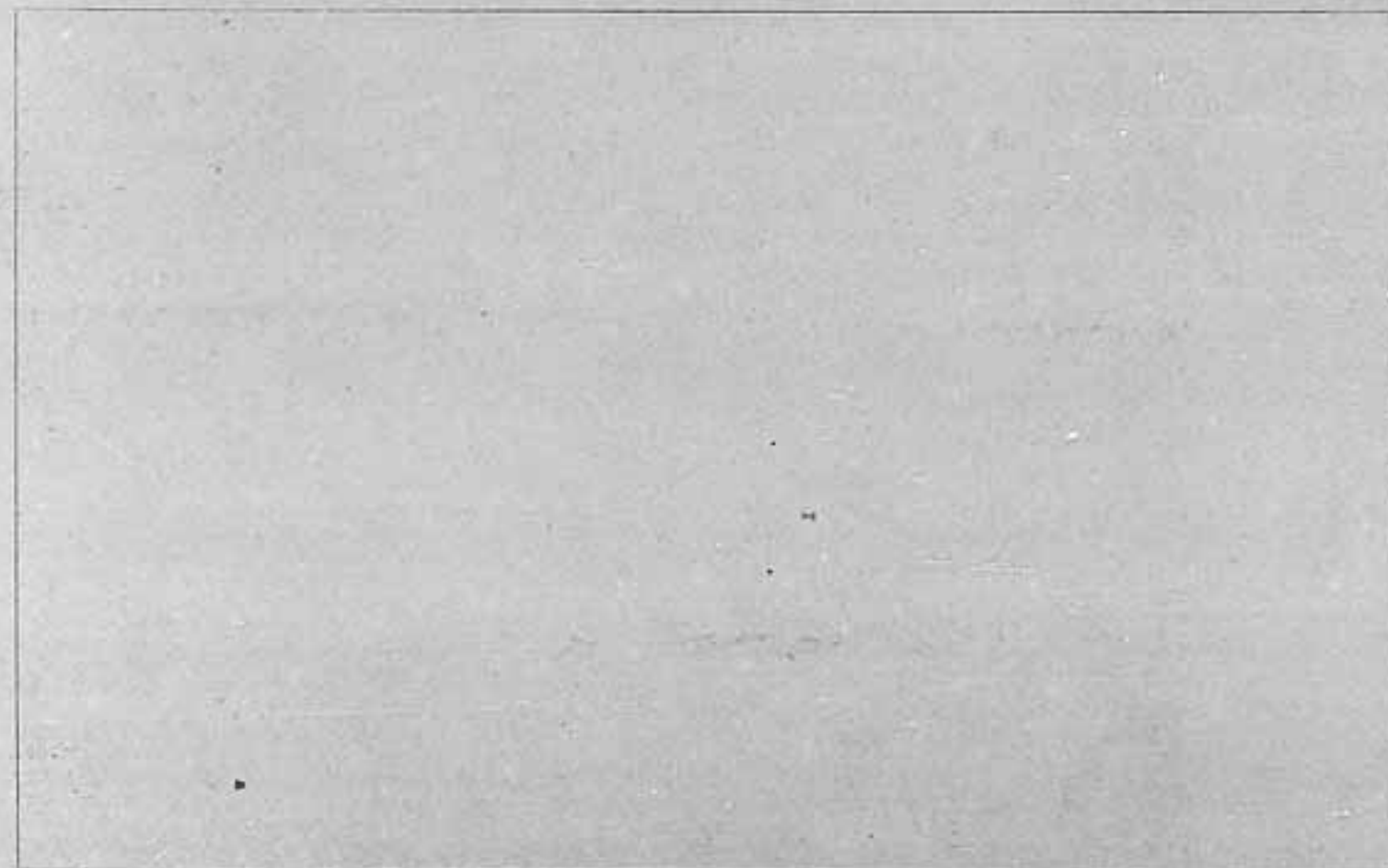


fabrics for the different technical articles were improved and valuable new products of great fastness were worked out. These efforts will form the basis for future good exports to other textil-countries.

But not only on the sector of articles of the common use has been a valuable increase in our assortment. Also in the fields of fashion, i. e. in the field of textile-printing, new developments are recognizable. Today, due to the new family of *Astrazon*-dyestuffs it is possible to print colours on acetate-silk. Their great fastness in brilliancy and brightness surpasses everything known today. In the field of graphics due to the development of synthetic dyestuffs — *Heliogen*-blue and -green — a group of new products has been worked out, too. It owns a fastness and supreme brilliancy which was not known of synthetic products.

As in other cases in ours also the different industries advance each other. Thus, the development of artificial fibres and the improved application methods of natural fibres effected a new strong impulse for the development of new chemical auxiliaries and processing products. To the qualified *Ramasit* (for water-proof, but air-permeable and form-preserving impregnation) and to the well-known *Eulan* (preventative against moths) and to the highly effective wetting, washing and equalisation agents new synthetic products were added. Partly they are basing

Storehouse for dyes



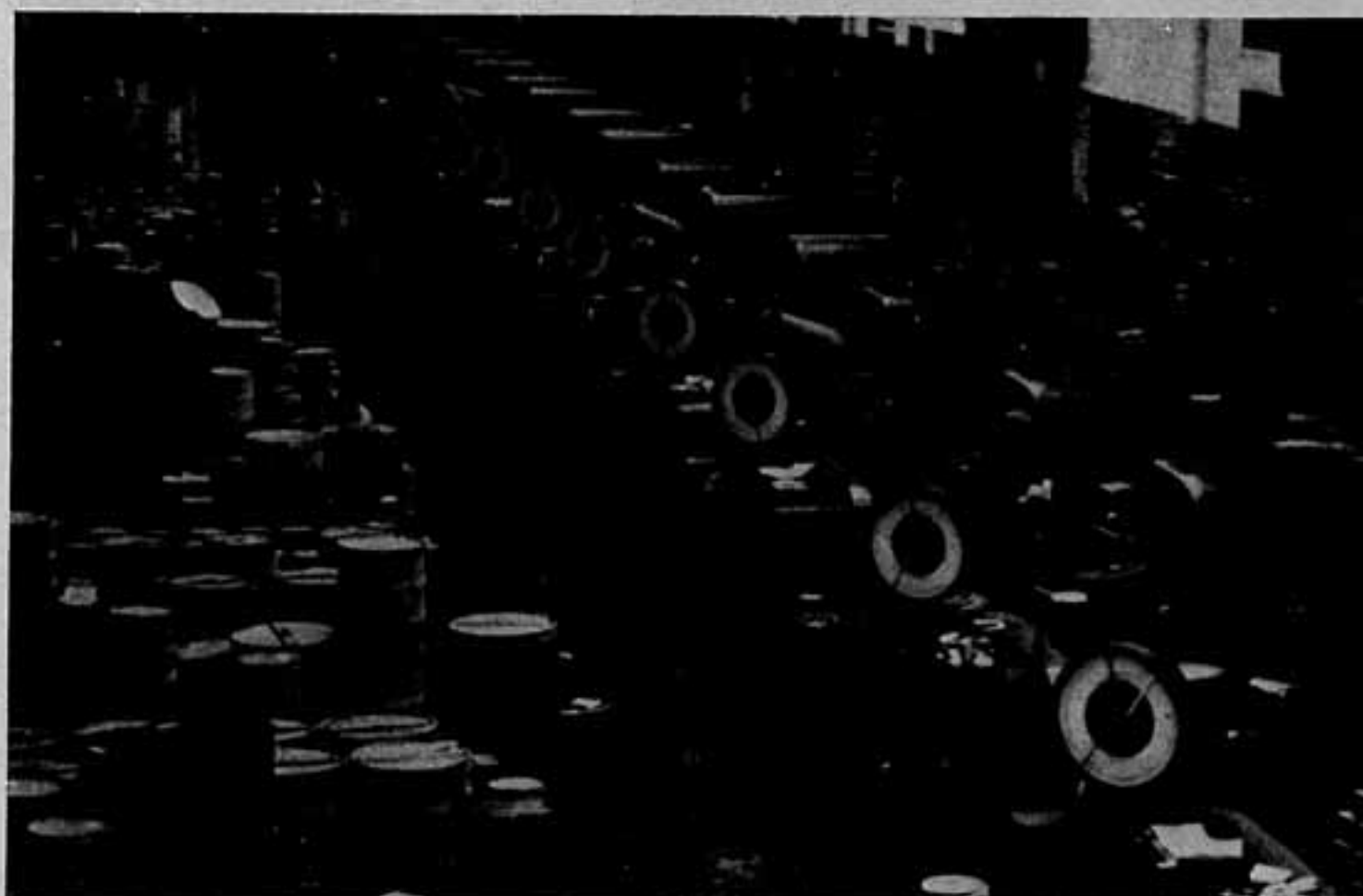
Artikel der Technik sind verbessert und wertvolle neue Produkte von hoher Echtheit ausgearbeitet worden. Diese Arbeiten werden auch weiterhin die Grundlage für die Entwicklung eines guten Exportgeschäftes in andere Textilländer bilden.

Aber nicht nur im Gebiet der Gebrauchsartikel ist ein wertvoller Zuwachs in unseren Sortimenten festzustellen. Auch in rein modischen Bezirken, z. B. im Textildruck, sind neue Entwicklungen erkennbar.

So gelingt es heute mit der neuen Gruppe der *Astrazon*-farbstoffe auf Acetatseide Farbstellungen zu drucken, die bei hoher Echtheit in Farbtiefe und Schönheit alles bisher Erreichbare übertreffen. Im graphischen Gewerbe ist durch die Entwicklung synthetischer Farbstoffe — *Heliogen*-blau und -grün — gleichfalls eine Gruppe neuer Produkte ausgebildet worden, die eine bisher durch synthetische Erzeugnisse nicht erreichte Echtheit und höchste Leuchtkraft besitzen.

Wie in anderen Fällen fördern sich auch hier die verschiedenen Industrien gegenseitig. So brachte die Ausbildung künstlicher Faserstoffe und die verfeinerte Anwendungsweise der Naturfasern auch einen starken Aufschwung in der Entwicklung neuer chemischer Hilfsmittel und Veredlungsprodukte. Zu dem bewährten *Ramasit* für die wasserabstoßende, aber luftdurchlässige und formhaltende Imprägnierung und dem bekannten *Eulan* als Schutzmittel gegen Mottenfraß und die hochwertigen Netz-, Wasch- und Egalisierungsmittel sind neue synthetische Erzeugnisse getreten. Zum Teil auf Fettbasis aufgebaut, zum Teil unter Aus-

Farbenlager







Tablettenverpackung

schluß von Fettsäure überhaupt dargestellt, bringen diese — sie kommen als *Igepon*, *Peregal*, *Leonil* und *Igepal* in den Handel — nicht nur bedeutsame technische Vorteile in der Ausrüstung von Textilien, sondern entlasten auch die heimische Wirtschaft durch Ersparnis an Devisen und bringen neue zusätzliche Exportgeschäfte. An Stelle der in großem Maße benutzten Stärke- und Dextrinsorten zum Appretieren wurden Kunststoffe entwickelt (*Appretanmarken*), die weitaus beständiger sind und neue Effekte ermöglichen.

Das Ledergebiet ist gekennzeichnet durch die Entwicklung wertvoller Farbstoffgruppen, die die Arbeit des Verbrauchers erheblich erleichtern, und durch erhöhten Einsatz künstlicher Gerbstoffe. Zu nennen sind hier vornehmlich die *Tannigan-extra-Marken* und die *Blancolorgerbung* zur Erzielung weißer Leder.

Noch ein anderes Gebiet aus dem großen Bereich der Farbensparte findet zunehmendes Interesse. Es sind die *I.G.-Wachse*, die aus inländischem Montanwachs durch einen chemischen Prozeß gewonnen werden und im Gegensatz zu den natürlichen Produkten eine große Gleichmäßigkeit der chemischen und physikalischen Eigenschaften besitzen. Es werden Hart- und Weichwax sowie für Emulsionen geeignete Wachse hergestellt. Sie sind an Stelle von Carnaubawachs und Bienenwachs zur Herstellung von Schuhcreme, Bohnenwachs, Autopoliermitteln, Lederfett, Kohle- und Buntpapieren vorzüglich geeignet.

Der Herstellung von

#### Arzneimitteln

dienen die pharmazeutischen Betriebe der I.G.-Werke in Leverkusen, Elberfeld, Höchst und Marburg, denen umfangreiche wissenschaftliche Laboratorien angeschlossen sind. Alle Arzneimittel der I.G. tragen als Wahrzeichen das *Bayer-Kreuz* und haben unter diesem Zeichen ihren Weg über die ganze Welt genommen. Der Sitz der Pharma-Verkaufsgemeinschaft *Bayer* ist Leverkusen.

Vor fünfzig Jahren war das heute so umfangreiche Gebiet der Arzneimittelsynthese noch fast völlig unbekannt. Es ist das Verdienst weitblickender Männer, denen wir auch die Entwicklung der deutschen Farbenindustrie verdanken, daß sie in den achtziger Jahren die aussichtsreichen Zukunftsmöglichkeiten der Arzneimittelforschung erkannten. Daß gerade die damals so energisch hochstrebende deutsche Teerfarbenindustrie die Pflege und den Vorrang des neuartigen Arbeitsgebietes übernahm, ist keineswegs verwunderlich. Hier waren nicht nur die Energien und die technischen Voraussetzungen gegeben, hier waren vor allem auch die Ausgangsprodukte und die chemischen Verbindungen vorhanden, die die Grundlage des neuen Industriezweiges bildeten. Es ist daher keine Überraschung, daß seit der Mitte der achtziger Jahre pharmazeutisch forschende Gelehrte Anschluß an die chemische Industrie suchten, die sie als die natürliche Vermittlerin bei der Verwertung neuer Erfindungen betrachteten. Daß auch Persönlichkeiten vom Range eines Emil Fischer, Ludwig Knorr, Robert Koch, Emil von Behring diese Verbindung gefunden haben, kann nur als ein Beweis für die weittragende Bedeutung dieser Zusammenarbeit gewertet werden, die sich im wesentlichen in den Forschungsstätten in Elberfeld und Höchst konzentrierte. In der Folge mußte sich naturgemäß aus dem ständigen Sammeln von Erfahrungen und Erkenntnissen das Bestreben ergeben, in eigenen Forschungsstätten selbständig zu arbeiten. Das bedingte, daß sich zu den chemischen auch pharmakologische, bakteriologische und biologische Laboratorien gesellten. Aus bescheidenen Anfängen sind diese Institute, die heute Welttruf genießen, im Laufe der Jahre hervorgegangen, eine Entwicklung, die durch den Zusammenschluß zur I.G. gewaltig gefördert wurde.

Bereits vor dem Kriege bildeten sich verschiedene Arbeitsrichtungen wie die chemotherapeutische und die tropenmedizinische Forschung heraus, die bis heute in ganz besonderem Maße ein erfolgreiches Betätigungsfeld unserer Laboratorien geblieben sind.

Dem ersten bedeutenden Erfolg auf dem Gebiet der Chemotherapie, der Einführung der auch heute noch als Standardheilmittel gegen die Syphilis anerkannten Präparate *Salvarsan* und *Neosalvarsan*, folgten *Trypaflavin*, *Rivanol*, *Surfen* u. a. In jüngster Zeit konnten die Forschungen über zwei weitere wichtige chemotherapeutische Medikamente zum Abschluß gebracht werden: *Prontosil* und *Ultrion*, von denen das erstere

die *Tannigan-Extra*-brands und die *Blancolor*-tanning für Produktion von weißem Leder sind zu erwähnen.

An increasing interest is paid to another one of the many sectors of the dyestuff-branch. This are the I.G. waxes. By chemical process they are extracted from indigenous montan-waxes. In contrary to the natural products they have a great uniformity of their chemical and physical properties. Hard and soft waxes and such for emulsions are manufactured. As substitutes for Carnaubawax and bees-wax they are eminently fitted for the composition of shoe-polish, floor-wax, polishes for motor cars, leather-fats, carbon and stained papers.

#### Pharmaceuticals

are produced in the pharmaceutical departments of I.G.'s works at Leverkusen, Elberfeld, Höchst and Marburg. Large scientific laboratories are attached to them. All pharmaceuticals of I.G. bear as trademark the "Bayer"-cross. Under this mark they did their march around the whole world. The seat of the pharmaceuticals sales organisation "Bayer" is at Leverkusen.

Fifty years ago the sector of remedies' synthesis which today is so large, practically has been unknown. It is due to the farsightedness of the men also developing the German dyestuff industry that they recognized the promising future possibilities of pharmaceutical research, too. It is not astonishing that in the eighties particularly the German tar-dyestuff industry then energetically rising took over the study and preponderant importance in the new field of activities. Not only the energies and the fundamental technical elements were here at hand but also the primary products and chemical compositions which formed the foundation of the new industrial branch. It is not surprising that beginning with the eighties pharmaceutical scientists looked for connections with the chemical industry. They considered it as a natural agent for the realisation of new discoveries. That also authorities like Emil Fischer, Ludwig Knorr, Robert Koch, Emil von Behring found these connections only can be considered as a proof for the far-reaching importance of this cooperation. It was practically concentrated on the research laboratories of Elberfeld and Höchst. Later on consequently the permanent collection of experiences and knowledge was to result in the desire to study independently in own research laboratories. Thus to the chemical laboratories pharmacological, bacteriological and biological ones were added. In the course of years these institutes today world-famed developed from modest beginnings, a development, which has been immensely advanced by the amalgamation of I.G.

Already before the war different directions of research originated, i.e. the chemo-therapeutical and tropical medical research. Up today they remained in an eminent degree a successful field of activities for our laboratories.

The first important success in the field of chemotherapy was the introduction of *Salvarsan* and *Neosalvarsan*, preparations which are still today recognized as standard-remedies against syphilis. They were followed by *Trypaflavin*, *Rivanol*, *Surfen* and others. Recently the studies on two further important chemotherapeutical remedies could be brought to conclusion: *Prontosil* and *Ultrion*.

#### Packing of tablets

on fats, partly composed under exclusion of fat-acid. They go on sale as *Igepon*, *Peregal*, *Leonil* and *Igepal*. They offer not only important technical advantages for the equipment of textiles but also discharge the home economy by saving foreign currencies. They furtheron bring additional exports, too. To replace the starch- and dextrine-brands for finishing, which had been used to a large extent, new *Kunststoffe* (*Appretan-brands*) had been developed. They are far more stable and permit new effects.

The leathersector is characterized by the development of valuable groups of dyestuffs. They ease the labour of the consumer essentially. The increased application of artificial tanningagents is remarkable, too; especially



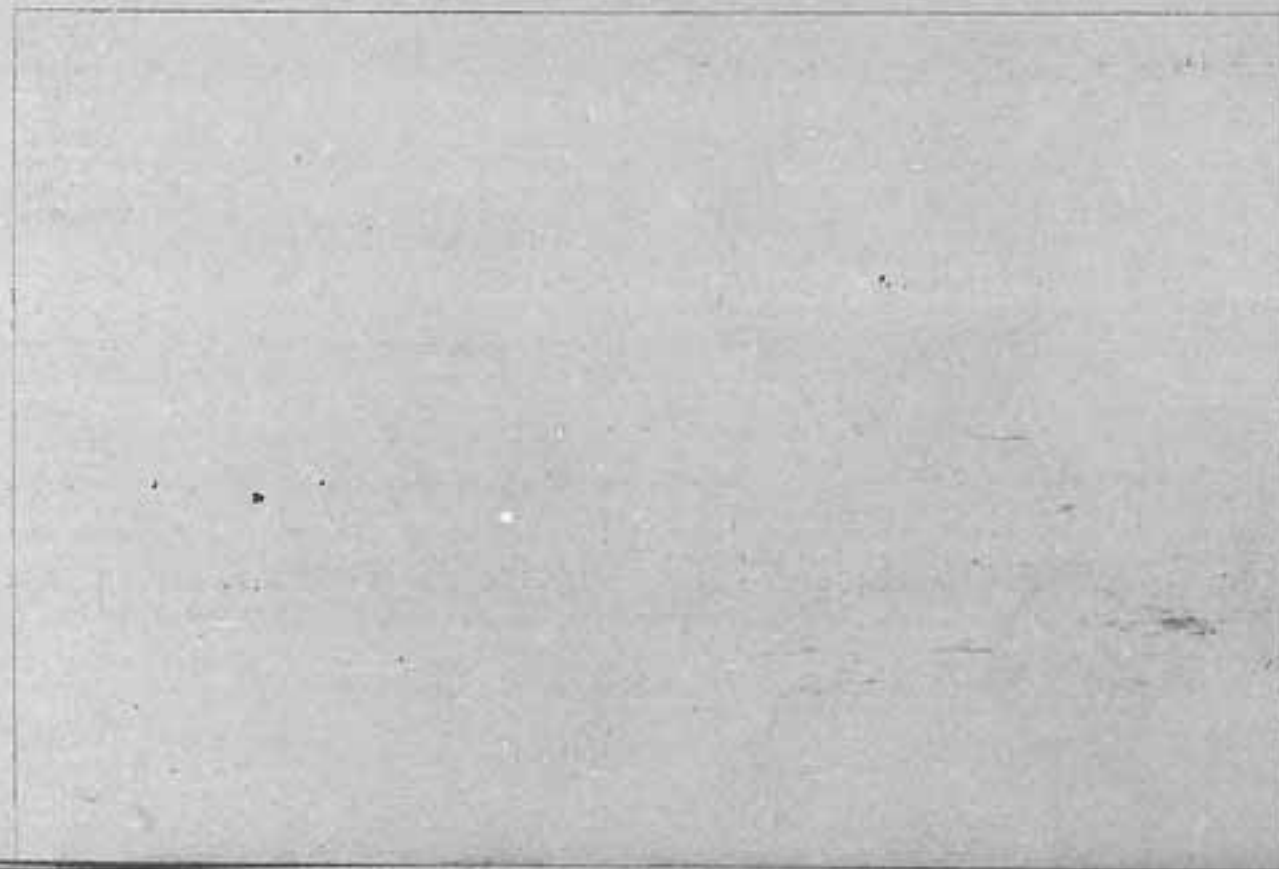
As it is known *Prontosil* received the highest decoration at Paris World Fair 1937. With the sector of tropical medicine the name of "Bayer" is closely connected since the discovery of "Bayer 205", the remedy against trypanosomiasis, of which an English expert stated that in the long run this product probably would be more valuable to the Allies than all reparations. In fighting other tropical diseases — for instance malaria, amoebic dysentery, kalaazar, bilharziasis, framboesia etc. — extremely efficient methods of treatment could be worked out in the preparations *Plasmodin*, *Atebrin*, *Yatren*, *Neostibosan*, *Fuadin* and others.

In another field a similar development started when in 1904 the chemist Stolz succeeded in synthetically preparing a hormon (*Suprarenin*). Further important knowledge of hormon research followed this pioneering step. In connection with these studies the most recent result is *Cyren*. From the chemical point of view it is entirely different from the female sexual hormon but produces exactly the same effects. Other hormon preparations are *Prolan*, *Preloban*, *Unden*, *Lutren*, *Iliren*, *Insulin*, *Elityran*.

Parallel to the progressing discoveries of the medical and pharmaceutical science and in execution of the principle "not to dodge in front of any problem of therapy" besides the special problems mentioned before — almost all therapeutical

Filling of remedies in ampoules

Hormon division



bekanntlich auf der Internationalen Ausstellung in Paris 1937 die höchste Auszeichnung erhielt. Mit der Tropenmedizin ist der Name »Bayer« seit der Erfindung des Mittels gegen die Schlafkrankheit, des „Bayer 205“ (*Germanin*) — von dem ein angesehener englischer Biologe sagte, daß es für die Alliierten auf die Dauer wahrscheinlich viel wertvoller sei als alle Reparationen —, auf das engste verknüpft. Gegen weitere Tropenkrankheiten, wie Malaria, Amöbenruhr, Kala-Azar, Bilharziosis, Framboesie usw., konnten mit den Präparaten *Plasmodin*, *Atebrin*, *Yatren*, *Neostibosan*, *Fuadin* u. a. besonders wirksame Behandlungsmethoden erschlossen werden.

Auf anderem Gebiet bahnte sich eine ähnliche Entwicklung an, als es 1904 dem Chemiker Stolz gelang, erstmalig ein Hormon (*Suprarenin*) zu synthetisieren. Dieser bahnbrechenden Tat sind weitere wichtige Erkenntnisse der Hormonforschung in den Laboratorien gefolgt. Das jüngste Ergebnis im Zusammenhang mit diesen Arbeiten ist das *Cyren*, das, chemisch beobachtet, einen ganz anderen Körper als das weibliche Sexualhormon darstellt, aber vollkommen dieselbe Wirkung wie dieses besitzt. Andere wichtige Hormonpräparate sind *Prolan*, *Preloban*, *Unden*, *Lutren*, *Iliren*, *Insulin*, *Elityran*.

Fortschreitend mit den Erkenntnissen der medizinischen und pharmazeutischen Wissenschaft und in Ausführung des Grundsatzes, vor keinem Problem der Heilkunde haltzumachen, wurden außer den erwähnten Spezialgebieten fast alle therapeutischen

Arzneimittelabfüllung in Ampullen

Hormon-Betrieb







Mittagspause auf dem Dachgarten

Fragen intensiv bearbeitet, wie die Vitamin- und Kreislaufforschung, die Forschung nach Präparaten gegen Stoffwechselstörungen, fieberhafte Erkrankungen, Schlafstörungen, und nach Mitteln für die Schmerzbekämpfung, die örtliche Betäubung und Narkose gesucht. Nur wenige Namen seien hier herausgegriffen: *Vigantol*, *Vogan*, *Cantan*, *Betaxin* sind in der Therapie der Vitaminmangelkrankheiten heute Begriffe geworden. Das gleiche gilt z. B. von Präparaten wie *Novocain*, *Pantocain*, *Evipan-Natrium* und *Avertin*, die in der lokalen und allgemeinen Schmerzbetäubung Bedeutung erlangt haben. Der individuellen Behandlung von Schlafstörungen dienen *Phanodorm*, *Adalin*, *Evipan*, *Luminal*, *Veronal*. Zum Teil führten wissenschaftliche Spezialarbeitsgebiete zur Begründung besonderer Abteilungen innerhalb der Verkaufsgemeinschaft »Bayer«. Als solche sind insbesondere zu werten die Serologische Abteilung, die Veterinärmedizinische Abteilung, die Dentalabteilung und die Pflanzenschutzabteilung. Die erstgenannte dieser Abteilungen ist in einem eigenen Werk, den nach dem Schöpfer der Serumtherapie E. v. Behring benannten und



Malaria mücken

Rest on top garden

issues were intensively studied, i. e. vitamin- and circulation-research, research for preparations against disturbances of sleep and of metabolism, against feverish diseases and such for stilling pains, local anaesthesia and narcosis. Only a few names may be mentioned here: *Vigantol*, *Vogan*, *Cantan*, *Betaxin*. For the therapy of vitamin deficiency they have become symbolic. The same refers to preparations like *Novocain*, *Pantocain*, *Evipan-Natrium* and *Avertin* which won importance for local and general anaesthesia. For the individual treatment of insomnia *Phanodorm*, *Adalin*, *Evipan*, *Luminal* and *Veronal* are intended.

In some cases sections of special scientific studies brought up the foundation of new divisions within the "Bayer" sales organisation. Those are the Sera-Vaccine Department, the department for veterinary medicine, the dental department and the department for agriculture. The Sera-Vaccine department is concentrated in a special plant, named after the originator of the Sera-therapy and the founder of the "Behring-works" at Marburg Emil von Behring. This

Moscitoes



plant produces besides the sera against diphtheria and tetanus discovered by the founder, sera and vaccines against a number of infectious diseases. In addition to the sera and vaccines for human medicine there are such for the veterinary. Furthermore a number of other important remedies against animal diseases could be developed in the veterinary department.

The *Novocain* has special importance for the dental medicine; and there are quite a few other specialities, i. e. among others the lenitive against toothache, *Arantil*, and *Dontalol* for cleaning and disinfection of mouth and artificial teeth. In the laboratories special attention was paid to the finding of valuable technical materials for the dentist's use. The "Bayer" department of agriculture puts

von ihm gegründeten „Behringwerken“ in Marburg, zusammengefaßt, die — außer den vom Werkgründer selbst erfundenen Sera gegen Diphtherie und Starrkrampf — Sera und Impfstoffe gegen eine ganze Reihe von Infektionskrankheiten herstellen. Den Sera und Impfstoffen für die Humanbehandlung schließen sich die Sera und Impfstoffe für die Veterinärmedizin an. Außerdem konnten in der veterinärmedizinischen Abteilung eine Reihe anderer wichtiger Heilmittel zur Bekämpfung von Tierkrankheiten entwickelt werden.

Für die Zahnheilkunde ist das *Novocain* besonders wichtig, außerdem steht eine Reihe von Spezialpräparaten zur Verfügung, so u. a. als besonderes Linderungsmittel gegen Zahnschmerzen das *Arantil* und zur Pflege und Desinfektion des Mundes und des Zahnersatzes *Dontalol*. Auch der Erschließung wichtiger technischer Materialien für die zahnärztliche Praxis wurde in den Laboratorien besondere Aufmerksamkeit geschenkt. Die Pflanzenschutzabteilung »Bayer« stellt der Land-

Production  
of sterile solutions

Herstellung  
keimfreier Lösungen





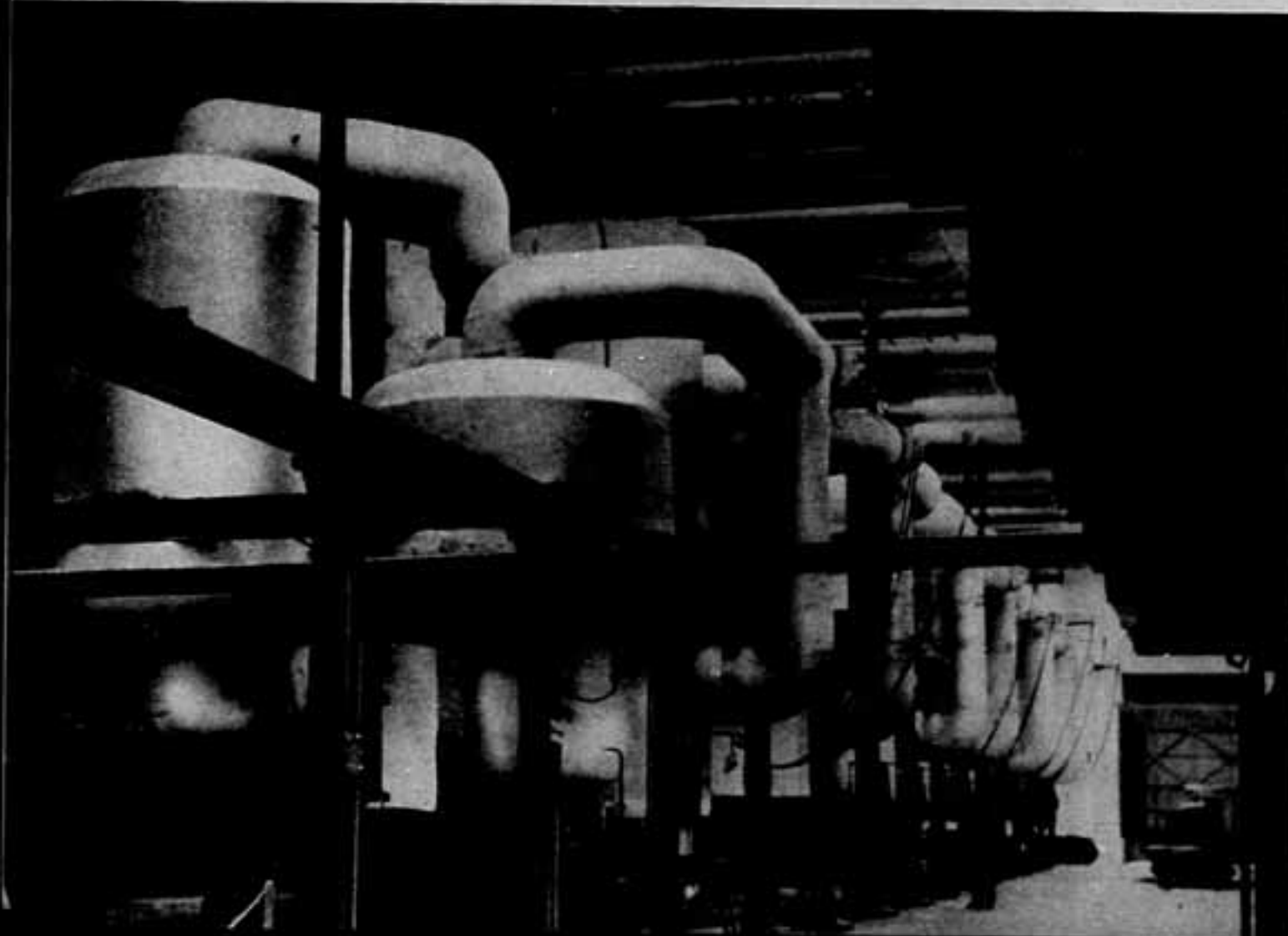
wirtschaft wertvolle Mittel für die Schädlingsbekämpfung in Getreide-, Obst- und Weinbau und ferner die unter dem Namen *Ceresan* bekannten Beizmittel u. a. zur Verfügung.

Die Forschungsstätten der Industrie sind von der Idee der Gemeinschaftsarbeit getragen. Die Größe der Probleme hat diese gewaltige Forschungsgemeinschaft im Dienste der leidenden Menschheit geschaffen, und der Erfolg hat die Richtigkeit des eingeschlagenen Weges bewiesen. So gibt es heute kaum eine Krankheit, gegen die dem Arzt nicht ein wirksames »Bayer«-Präparat zur Verfügung steht, und kaum eine Apotheke auf dem weiten Erdenrund, in der nicht täglich »Bayer«-Arzneimittel gefördert werden.

Von grundlegender Bedeutung für die Landwirtschaft, besonders für die dem deutschen Landvolk in der Erzeugungsschlacht gestellten Aufgaben, ist der

#### Stickstoff.

Noch 1913 wurden in Deutschland allein 775 000 Tonnen Chilesalpeter im Werte von 171 000 000 Mark eingeführt. Es gelang der früheren Badischen Anilin- und Soda-Fabrik in Ludwigshafen, durch Herstellung von Stickstoffverbindungen aus dem Stickstoff der Luft nach dem katalytischen Hochdruck-Ammoniak-Verfahren nicht nur die deutsche Landwirtschaft von dem Stickstoffbezug aus dem Ausland unabhängig zu machen und ihren gegenüber der Kriegszeit erhöhten Stickstoffbedarf zu befriedigen, sondern darüber hinaus den besonders hochwertigen *Stickstoffdüngemitteln* sogar einen beträchtlichen Auslandsabsatz zu



at the disposal of the agriculture valuable insecticides for grain, fruit and grape cultivation and also the seed dressings known as *Ceresan*.

The research institutions of the industry are governed by the idea of cooperation. The magnitude of problems has created this immense research community serving the interests of suffering mankind. The success has proved that the way taken has been the right one. Thus today there exists practically no disease against which the physician has no "Bayer" preparation on hand. And also there exists hardly a pharmacy over the whole world where daily a "Bayer"-product is not asked for.

#### Nitrogen

is of principal importance for agriculture and especially for the ends put to the German farmers within the frame work of the *Erzeugungsschlacht* (battle for production).

As lately as 1913 there were imported into Germany not less than 775 000 tons of chilean saltpetre, valued at 171 000 000 marks. The former Badische Aniline and Soda Works at Ludwigshafen succeeded in the production of nitrogen compositions from atmospheric nitrogen using the catalytical high-pressure ammoniac process. The result was the independance of German agriculture from imports of nitrogen and the possibility to meet its needs which had increased in comparison to wartime. It even was possible to find considerable export markets for these highly effective nitrogen



Agricultural  
experimental  
station  
Limburger-Hof

fertilizers. The German fertilizers contain nitrogen in form of ammonium-, saltpetre-, cyanamid- and amid-nitrogen. In some of the fertilizers several forms of nitrogen are combined, i.e. ammonium- and saltpetre-nitrogen. Some contain besides nitrogen one of the other cellular nutrients, kali or phosphoric acid or both of them together. Most of the nitrogen-fertilizers contain also lime.

To produce these fertilizers on a large scale the plant at Oppau was built up in 1913 and the ammonium plant at Merseburg in 1917. The starting point of production are the gasworks with their gigantic steel construction buildings. It is here where water and air are entering the lengthy, ingenious and complicated process. As invisible as they come they remain during the whole process. All components are in the form of gases. By machines they are pressed further through pipes. Finally in closed apparatus under high pressure and almost red-hot temperatures they are converted into ammoniac. Inside these apparatus the enormous chemical reactions take place still invisibly. Even ammoniac itself remains as a gas invisible. Only at the end of the production the products become visible. Then the conveyor belts transport the fertilizing salts to the silos. Within these large store-houses the fertilizing salts pile up mountain-high. What powers and forces are existing within these insignificant looking salts is shown at the experimental

station Limburgerhof near Ludwigshafen. It has been established in 1913/14, is in operation since more than 25 years and has at its disposal all modern means of agricultural experimental technic. Partly on the fields,

Pot experiments in vegetation

Land-  
wirtschaftliche  
Versuchs-  
station  
Limburgerhof



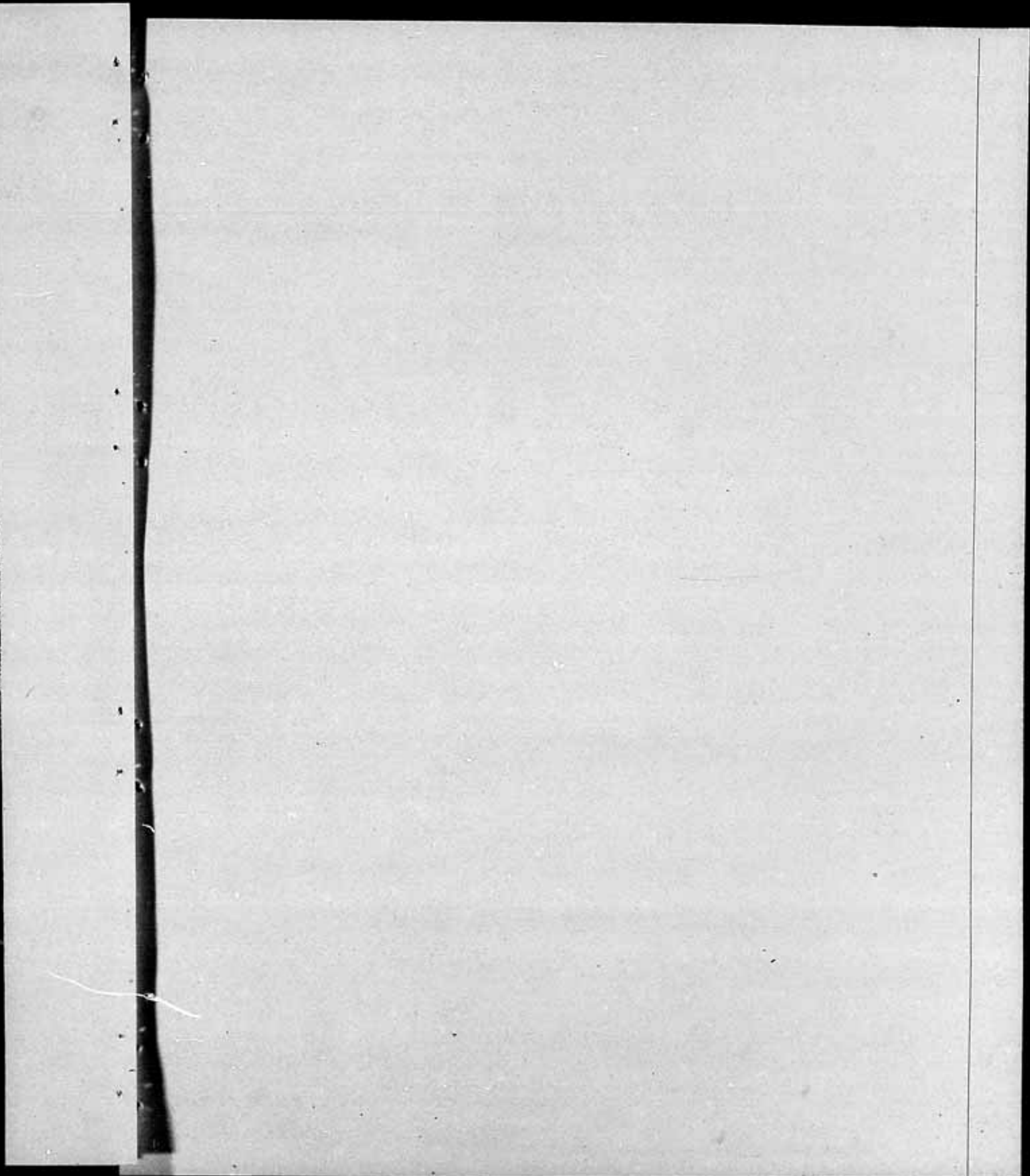
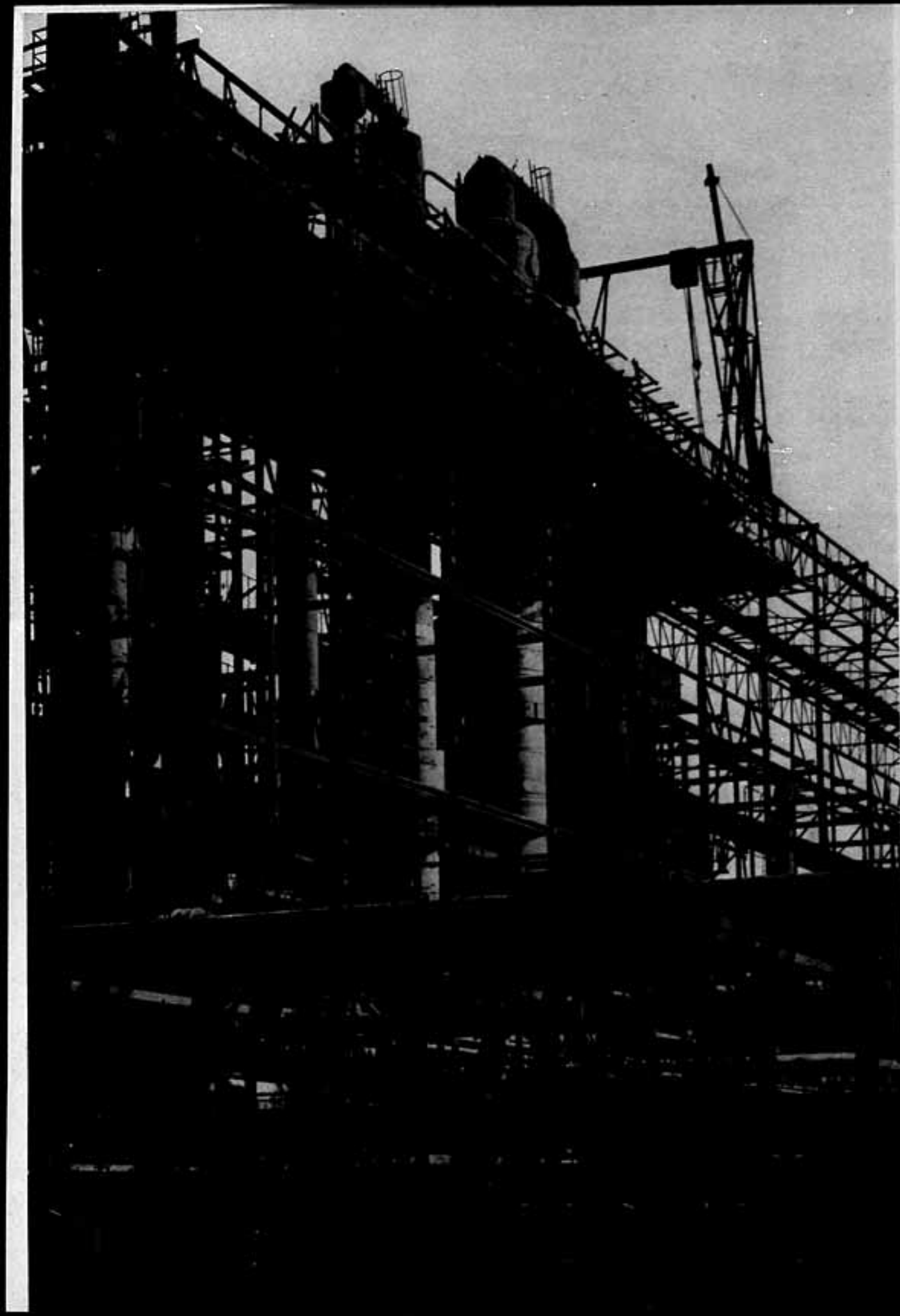
verschaffen. Die deutschen Düngemittel enthalten den Stickstoff in verschiedenen Formen als Ammoniak-, Salpeter-, Cyanamid- oder Amidstickstoff. In einigen Düngemitteln sind mehrere Stickstoff-Formen, z. B. Ammoniak- und Salpeterstickstoff, vereinigt, andere enthalten neben Stickstoff noch einen der anderen Kernnährstoffe Kali oder Phosphorsäure oder auch beide zugleich. Die meisten Stickstoffdüngemittel sind kalkhaltig.

Zur Herstellung dieser Düngemittel in großtechnischem Maßstabe wurde 1913 das Werk Oppau und 1917 das Ammoniakwerk Merseburg errichtet. Den Ausgangspunkt der Fabrikation bilden die Gasfabriken mit ihren riesigen, in Eisenkonstruktion ausgeführten Bauten. Hier treten Wasser und Luft, die beiden Ausgangsstoffe des langwierigen, sinnreichen und verwickelten Prozesses, in den Fabrikationsgang ein. Unsichtbar, wie sie kommen, bleiben sie während des ganzen Verlaufes. Es handelt sich stets um gasförmige Stoffe, die durch Maschinen in Rohrleitungen weitergeführt und schließlich in geschlossenen Apparaten unter hohem Druck bei Temperaturen nahe der Rotglut in Ammoniak umgewandelt werden. Im Innern dieser Apparate spielen sich die gewaltigsten chemischen Umsetzungen noch immer unsichtbar ab. Auch das Ammoniak selbst bleibt als Gas dem Auge noch unerkennbar. Sichtbar werden die Produkte erst am Schlusse der Fabrikation, wenn die laufenden Bänder das Düngesalz nach den großen Silos befördern. In diesen weiten Hallen türmt sich das Düngesalz zu kleinen Gebirgen auf. Welche Kräfte und Wirkungen diesen unscheinbaren Salzen innewohnen, tritt auf der 1913/14 errichteten,

bei Ludwigshafen gelegenen, nunmehr 25 Jahre arbeitenden Versuchsstation Limburgerhof in Erscheinung, die über alle neuzeitlichen Einrichtungen landwirtschaftlicher Versuchstechnik verfügt. Die Düngemittel



Topfversuche in der Vegetation





Gasoline cars for  
Leuna-liquid gas

partly in pots or in walled lots as well as in warm- and cold-houses the fertilizers are tested for their individual properties, their effectiveness and their advantages in practical use. The storage and spreading properties of the different fertilizers are there also carefully supervised.

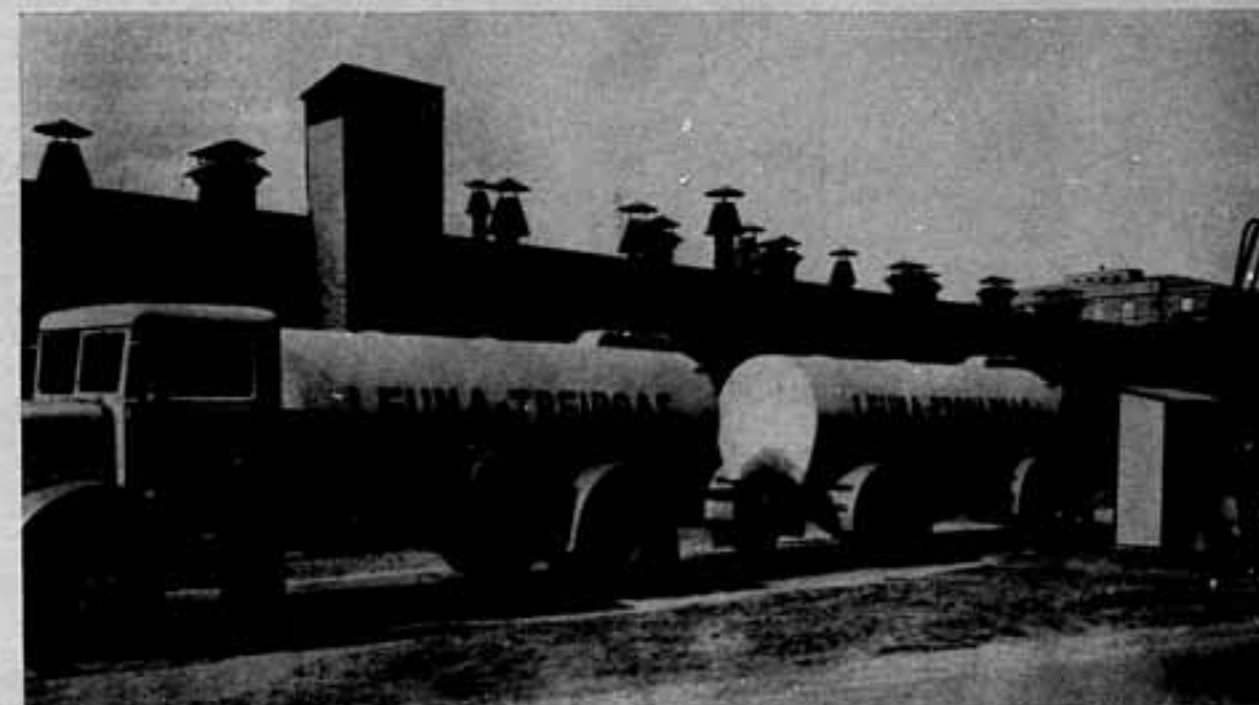
I. G. established agricultural consulting stations in order to advise the German farmer in the choice and application of fertilizers. These stations also may facilitate the immediate exchange of experiences and informations between producer and consumer. The agricultural department at Ludwigshafen on the Rhine directs these stations. Sometimes the price of nitrogen-fertilizer today amounts to only one third of the prewar prices. Since years the German nitrogen producers have combined in the nitrogen syndicate at Berlin. It also sells those nitrogen products used by different branches of the industry for technical purposes.

On coal also is built up the field of **synthetical gasolines and mineral oils.**

A sector which has become of the greatest economical importance by the progressing motorisation and within the frame work of the Four-Years-Plan.

Leuna - filling station

Tankwagen für  
Leuna-Flüssiggas



werden teils auf dem Felde, teils in Gefäßen und ummauerten Parzellen sowie in Warm- und Kalthäusern auf ihre besonderen Eigenschaften, ihre Wirksamkeit und ihre betriebswirtschaftlichen Vorzüge hin geprüft. Auch die Streu- und Lagerfähigkeit der verschiedenen Düngemittel wird dort mit aller Sorgfalt überwacht.

Um den deutschen Bauer in der Auswahl und der Anwendung der Düngemittel richtig zu beraten und zwischen Landwirtschaft und Fabrikation Erfahrungen und Belehrungen unmittelbar austauschen zu können, wurden von der I. G. landwirtschaftliche Beratungsstellen eingerichtet, die der Landwirtschaftlichen Abteilung in Ludwigshafen a. Rh. unterstehen. Der Preis für Düngestickstoff beträgt heute teilweise nur noch etwa ein Drittel des Vorkriegspreises. Im Stickstoff-Syndikat Berlin haben sich die deutschen Stickstoffherzeuger schon seit langer Zeit zusammengeschlossen. Von ihm werden auch die Stickstoffprodukte verkauft, die in den verschiedensten Industriezweigen für technische Zwecke Verwendung finden. Wiederum auf der Kohle baut sich das Gebiet der

**synthetischen Betriebsstoffe und Mineralöle**

auf, das mit der schnell fortschreitenden Motorisierung der Verkehrsmittel und bei der Durchführung des Vierjahresplanes von größter wirtschaftlicher Bedeutung geworden ist.

Eine Leuna-Tankstelle





hat, geht wohl am besten daraus hervor, daß im letzten Jahr in Deutschland an Benzin schon fast das Doppelte der deutschen Benzinerzeugung nach dem Hochdruckhydrierverfahren allein hergestellt wurde; das ist aber auch der weitaus überwiegende Teil der gesamten deutschen Benzinherzeugung.

Zu den

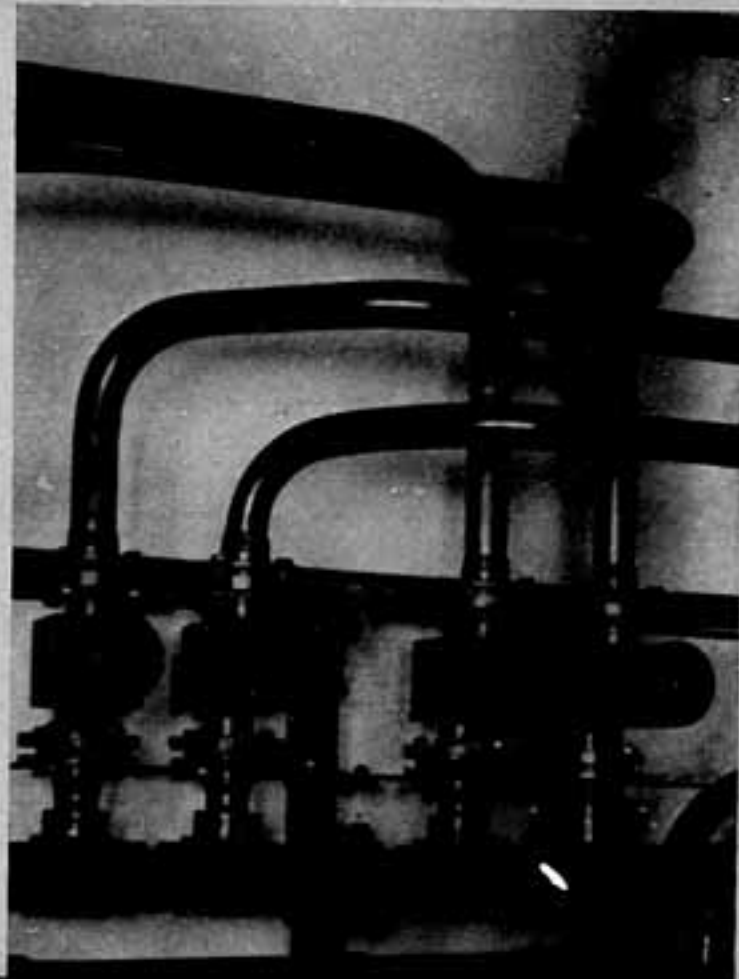
#### anorganischen und organischen Chemikalien,

die in den Werken der I.G. im Großbetrieb hergestellt werden, gehören neben den anorganischen Großprodukten, insbesondere den Erzeugnissen der Chlor-Alkali-Elektrolyse, den anorganischen Säuren und deren Salzen die organischen Säuren und Zwischenprodukte. Hieran reiht sich eine große Anzahl von Produkten, die seit Jahren stetig entwickelt und ausgebaut wurden: Rohstoffe für die Lack- und Anstrichfarbenindustrie, Lösungs- und Weichmachungsmittel, Kunstharze, Trockenstoffe, Mineralfarben wie Titanweiß, Lithopone, Chrom- und Eisenoxydfarben. Weiterhin seien die Vulkanisationsbeschleuniger und Alterungsschutzmittel für die Gummi-Industrie, die synthetischen Gerbstoffe und Gerbereihilfsmittel erwähnt. Unter den zahlreichen sonstigen Spezialprodukten der Chemikaliensparte findet sich *Cohesin*, das Klebemittel für Schuhindustrie und Haushalt, *Kaurit* für wasser- und schimmelfeste Holzverklebungen und das Anstrichbindemittel *Membranit* für Außen- und Innenanstriche aller Art.

Die autogene Metallbearbeitung — man faßt unter diesem Begriff alle diejenigen Verfahren zusammen, welche

Es gilt, Deutschlands Bedarf an den verschiedenen Arten von Motortreibstoffen und sonstigen Mineralölprodukten durch heimische Erzeugnisse sicherzustellen. Hierzu dienen die Produkte der Kohlehydrierung. Das von der I.G. in mühevoller, langjähriger und kostspieliger Arbeit entwickelte Verfahren der katalytischen Druckhydrierung von Kohlen, Teeren und Ölen wird seit einigen Jahren in großem Maßstabe in den Leuna-Werken durchgeführt. Daneben dient es in mehreren anderen Werken zur Herstellung von Benzin aus Braunkohlenschwefel und Steinkohle. Durch das Hydrierverfahren kann man nach Wahl und Notwendigkeit Benzin, Treib-, Diesel- und Schmieröle herstellen. Außerdem lassen sich gasförmige Kohlenwasserstoffe gewinnen, die als *Leuna-Propan* zu Brenn- und Heizzwecken oder als *Flüssiggas* zum Antrieb von Motoren dienen und auch ihrerseits eine Verbesserung der inländischen Treibstoffversorgung bewirken. Die Bedeutung, die das Verfahren für Deutschlands Versorgung mit Treibstoffen

*Igelit-Rohre*



Germany's supply with fuel may be recognized by the fact that during the last year in Germany by hydrogenation an amount of gasoline was produced which almost doubles Germany's benzol-production; and this really represents the biggest part of Germany's gasoline production.

Besides the anorganic massproducts, (i. e. especially products of the chlorine-alkali-electrolysis, anorganic acids and their salts) the organic acids and intermediates belong to the group of

#### anorganic and organic chemicals,

which are manufactured on a large scale by I.G.'s works. Attached to organic acids and intermediates are a large number of products which were developed and improved for years: raw materials for the lake- and paint-industry, solvents and softeners, synthetic resins, siccatives, mineral colours like titanium white, lithopones, chrome- and iron oxide-dyes. In addition to these items accelerators, antioxidants for the rubber industry, tanning materials and tanning auxiliaries may be mentioned. Among the other numerous individual products of the chemical branch you will find the *Cohesin*, an adhesive for the shoe industry and the households, *Kaurit* glue to join woodwork in a water- and mildew-proof way and the binding-agent *Membranit* for outside and inside paints of all kinds.

In the last decades the autogene metall process (this term includes

The issue is to provide Germany's needs for the different types of gasoline and other mineral oils by indigenous products. This end is served by the products of coal-hydrogenation. Since a number of years the process of catalytic pressure hydrogenation of coal, tars and oils (developed by I.G. in a long period of painstaking, expensive studies) is employed on a large scale in the Leuna-works. Furthermore this process is used in some factories for the production of gasoline from the tar of smouldering lignite and form hard coal. According to will and necessity the production of gasoline, diesel-oil or lubricating-oil is possible by this hydrogenation process. And also liquid carbonhydrates can be produced. They are known as *Leuna-Propan* (for burning and heating) or *Leuna liquid gas* (used as fuel for motors). Thus they contributed their part to the improvement of indigenous fuel supply.

The importance this process has for

*Pipes made of Igelit*





#### Manysided use of Kunststoffe

all methods of joining or cutting metals, mainly iron) has almost revolutionized the technic. Welding and soldering soon were followed by cutting. A further improvement was reached six years ago by the autogenous surface-hardening. All these systems have in common the use of a burner to provide the flame required for the intended purpose.

On the construction sector the extension of the German economy gives problems, which mainly concern durability of the used building materials. Already a number of building materials and accessories were developed. Partly they are intended for preservation of iron, wood and stones, partly they are in use as light-weight construction materials and as road construction materials.

Besides the well-known anti-freeze *Glysanin* the newly offered *Akorol* is the indispensable anti-corrosive for radiators in summertime. For softening the inner vibrations and the humming of the car body a new product with the name *Antivibrin* has been created. For purifying of waters so-called ionic exchangers, *Wofatites*, for the softening and desalting of waters were worked out. Due to their application it is possible to obtain a water practically equivalent to condensed water. This is of essential importance for the production in many industries. Finally *Luresin F* may be mentioned. This resin extender, which bases on synthetical resins, is used for paper-sizing. Its use effects an essential saving of foreign resins.

Thanks to their good properties the new *Werkstoffe* find an steadily growing appreciation in the German economy. The superiority of the synthetical caoutchouc

Membranit-paints



#### Vielseitige Kunststoffe

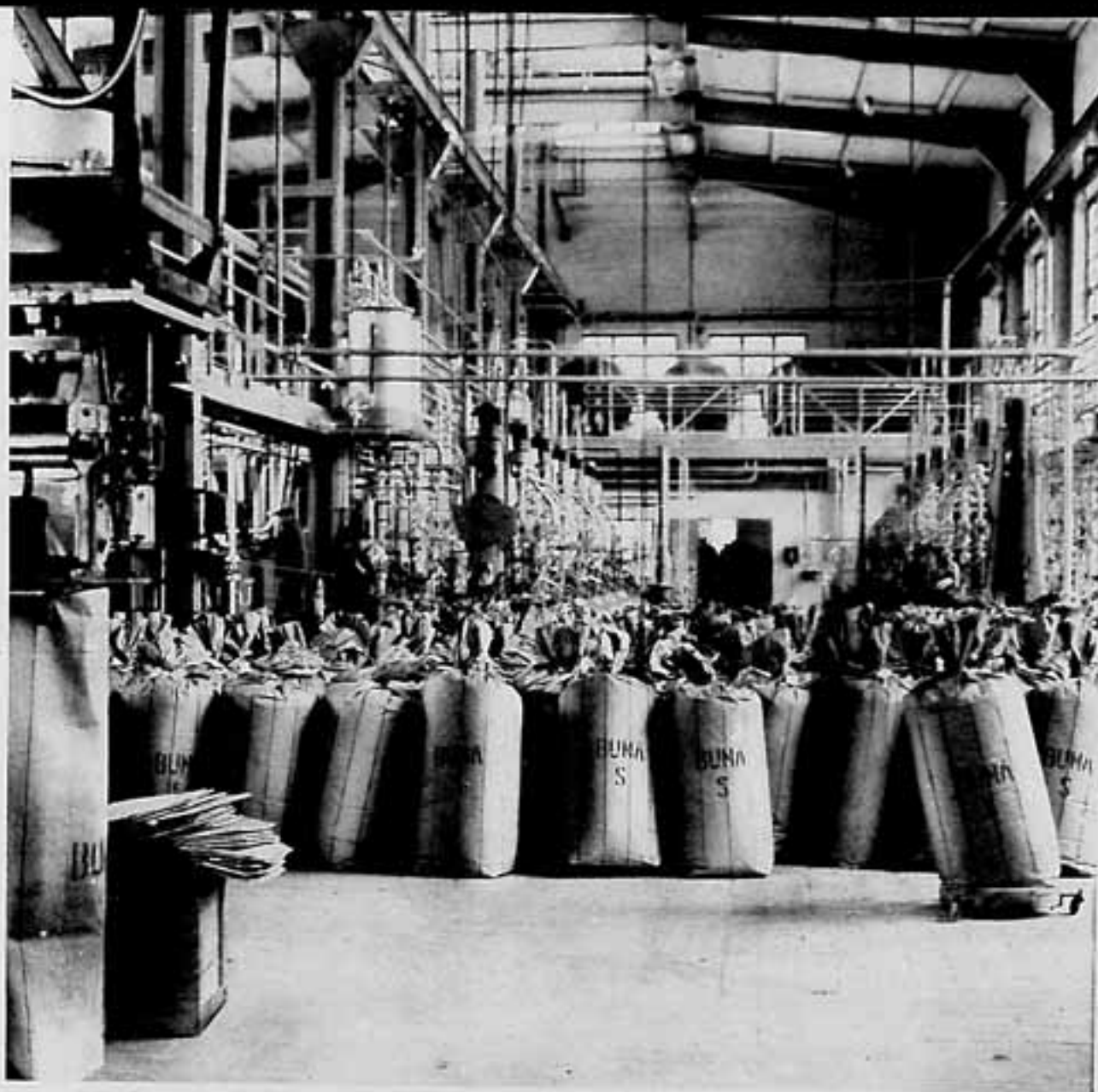
dazu bestimmt sind, Metalle, insbesondere Eisen, zu vereinigen oder zu zertrennen — hat die Technik in den letzten Jahrzehnten geradezu umwälzend beeinflusst. An die Einführung des Lötens und Schweißens schloß sich alsbald das Schneiden an; eine weitere Ergänzung erfolgte vor etwa sechs Jahren durch das autogene Oberflächenhärten. Gemeinsam ist allen vier Verfahren die Anwendung eines Brenners zur Erzeugung der für den jeweiligen Zweck geeigneten Flamme.

Auf dem Baugebiet stellt der Ausbau der deutschen Wirtschaft Forderungen, die sich vor allem auf erhöhte Widerstandsfähigkeit der verwendeten Baustoffe erstrecken. So wurde bereits eine Reihe von Bau- und Bauhilfsstoffen geschaffen, die teils dem Schutze von Eisen, Holz und Stein dienen, teils als Leicht- und Straßenbaustoffe Verwendung finden.

Außer dem bekannten Frostschutzmittel *Glysanin* ist das neu herausgebrachte *Akorol* das unentbehrliche Korrosionsschutzmittel für den Autokühler im Sommer. Zur Dämpfung der Eigenschwingungen und des Dröhnens der Karosserie wurde unter dem Namen *Antivibrin* ein neues Produkt herausgebracht. Der Aufbereitung von Wässern dienen seit Mitte letzten Jahres sogenannte Ionen-Austauscher, *Wofatite*, zur Enthärtung und Entsalzung von Wässern, durch deren Anwendung es u. a. möglich ist, Wasser zu erhalten, das dem kondensierten Wasser praktisch ebenbürtig und für die Fabrikation in vielen Industrien von wesentlicher Bedeutung ist. Weiterhin sei das auf Kunststoffbasis aufgebaute Harzstreckungsmittel *Luresin F* für Papierleimung erwähnt, durch dessen Mitverwendung eine wesentliche Einsparung von ausländischem Harz erzielt wird.

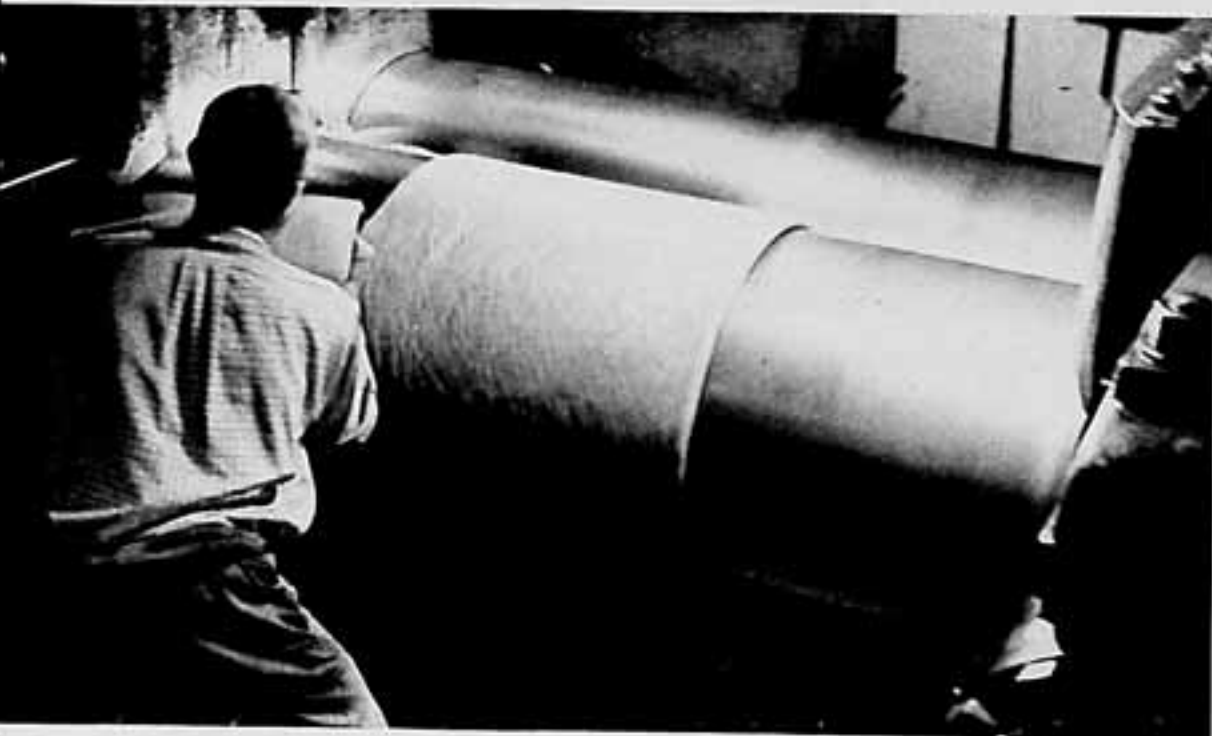
Die neuen Werkstoffe erfreuen sich dank ihrer guten Eigenschaften einer immer größeren Anwendung in der deutschen Wirtschaft. Die Überlegenheit des synthetischen Kautschuks *Buna* gegenüber Natur-

Membranit-Anstrichmittel



*Synthetischer Kautschuk  
Buna*

*Synthetic caoutchouc  
Buna*



*Vorwalzen von Buna*

*Rolling of Buna*



# Synthetic saphyr in the furnace

Buna over the natural product is obviously recognizable. *Perbunan* is a product which is used for the manufacture of oil- and gasoline-resistant materials. Among other caoutchouk-like products the *Perdurenes* may be mentioned. They are applied for the production of swelling-proof articles. The synthetical resins have found increased application in the various fields. With preference they are used where their properties promise an appropriate application. *Igelit* is in use in cable and rubber industries, is used for the production of artificial leather and is used for the impregnation of jute for wrapping purposes, too. *Oppanol* mainly is used for textile coating and for the production of artificial leather and glues. *Polystyrol* is applied in the electrical industry and also is used for extrusion-production. Emulsions are applied for textile coating, for the production of artificial leather.

The light metal alloys *Elektron* and *Hydronallium* gain a steadily increasing sympathy with our foreign customers. Due to the low specific weight of *Elektron* this group of alloys finds its way to always new fields of light weight construction. Due to its polishing qualities and resistance to weather influences *Hydronallium* finds a steadily growing use for armatures and similar things. Its special advantage is seen in the fact that no plating with chrome or nickel is necessary.

Light metal

# Synthetischer Saphir im Schmelzofen

kautschuk ist klar zu erkennen. In *Perbunan* wurde ein Produkt geschaffen, das zur Herstellung öl- und benzinfester Artikel dient; als weitere synthetische kautschukartige Erzeugnisse seien die *Perdurene* genannt, deren Anwendung sich auf die Herstellung besonders quellbeständiger Artikel erstreckt. Die *Kunststoffe* haben weiteren Eingang in die verschiedenartigsten Anwendungsgebiete gefunden und werden gern dort gebraucht, wo die Eigenschaften dieser Produkte ihre Anwendung besonders zweckmäßig erscheinen lassen. *Igelit* findet in der Kabel- und Gummi-Industrie, zur Herstellung von Kunstleder und zum Streichen von Jutebahnen für Verpackungszwecke Verwendung. *Oppanol* dient hauptsächlich zur Herstellung von Streichstoffen und zur Fabrikation von Kunstleder und Klebstoffen; *Polystyrol* wird in der Elektro-Industrie und für die Herstellung von Spritzgußartikeln gebraucht. Die Anwendung der Emulsionen erstreckt sich auf die Herstellung von Streichstoffen, Kunstleder und die Faserlederherstellung.

Die Leichtlegierungen *Elektron* und *Hydronallium* erfreuen sich auch bei unseren ausländischen Abnehmern immer größerer Beliebtheit. Beim *Elektron* ist es das geringe spezifische Gewicht, das dieser Legierungsgruppe immer neue Zweige des Leichtbaues erschließt. Das *Hydronallium* führt sich auf Grund seiner vorzüglichen Polierbarkeit und Wetterbeständigkeit für Beschlagteile und ähnliche Gegenstände immer mehr ein, wobei es als besonders vorteilhaft empfunden wird, daß keinerlei Überzüge durch Vernickeln, Verchromen oder dergl. erforderlich sind.

Und abermals erschließt sich ein anderes großes Gebiet,



Leichtmetall





#### Kunstseide, Zellwolle und synthetische Faser,

das auch nach der Rohstoffseite hin von großer Bedeutung geworden ist. Kunstseiden werden nach dem Viskose-, Kupferoxydammoniak- und Acetatverfahren hergestellt. Die I.G. ist das einzige Unternehmen in Deutschland, das nach allen drei Verfahren arbeitet. Der Markt kennt die Viskose-Kunstseiden der I.G. unter den Bezeichnungen *Agfa-Kunstseide*, *Agfa-Trinova*, *Agfa-Dunova*, *Agfa-Suprema edelmatt* und *Agfa-Trevira tiefmatt*. Die Agfa-Kunstseiden finden auf allen Gebieten der Textilindustrie vielseitige Verwendung. *Aceta*, *Aceta-Matt* und *Acelan* sind Produkte aus Acetylcellulose des Werkes Lichtenberg, die für hochwertige Erzeugnisse der Seidenweberei und -wirkerei Verwendung finden. Dieses Werk stellt außerdem eine Zellwolle, die *Acetafaser*, her.

Die Geburtsstätte und Wiege der *Vistrafaser* und somit der Zellwolle überhaupt ist das Werk Premnitz. Dank einer 20jährigen Pionierarbeit verfügt die I.G. auf dem Gebiet der Zellwolle über reiche Erfahrungen. Die Erfindung der *Vistrafaser* im Jahre 1919 leitete eine neue

*Zellstofflager der Kunstseidefabrik  
in Wolfen*

*Drehtrommeln für die Reifung der  
Alkalizellulose*

And once again a new great field opens,  
the sector of

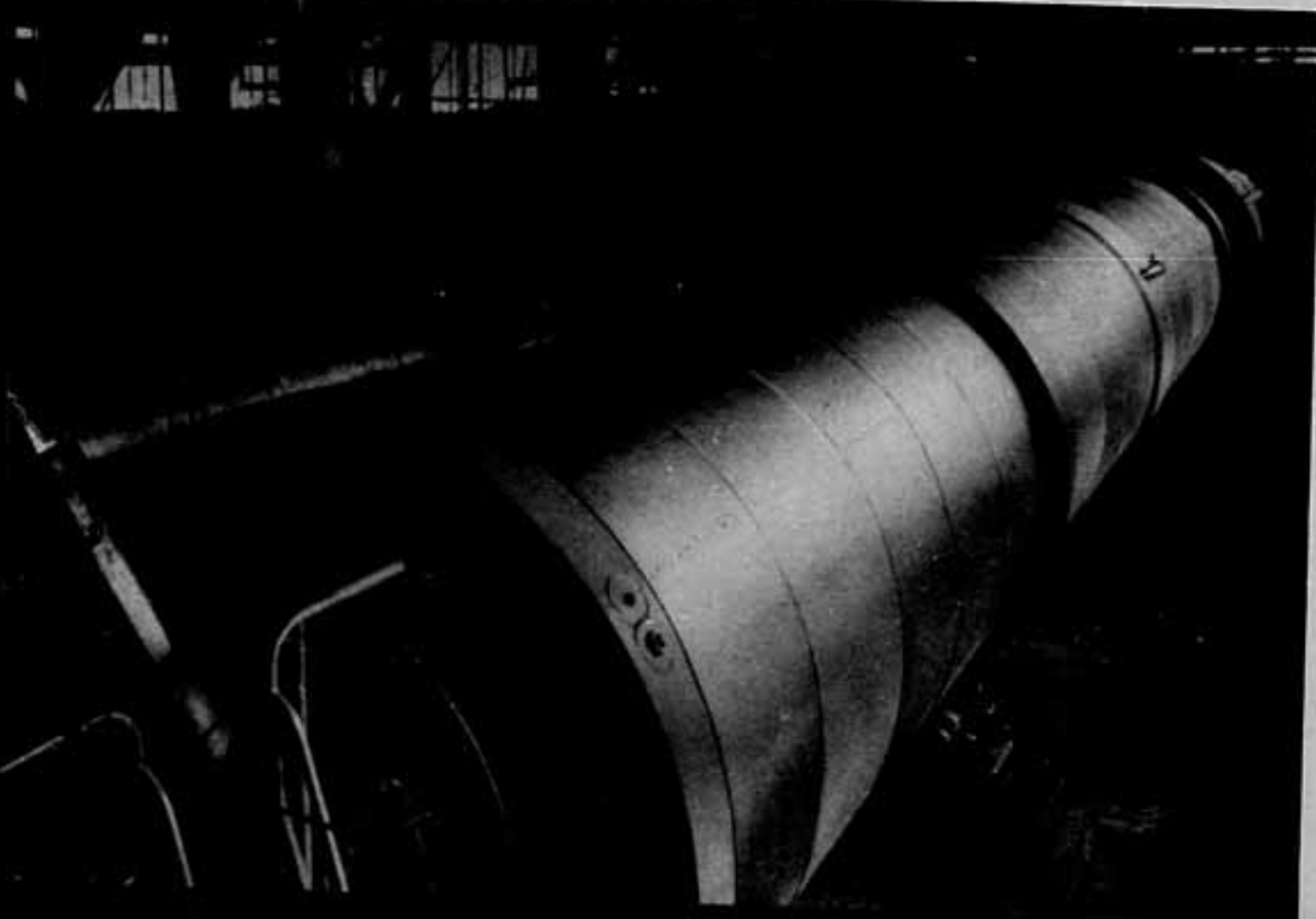
#### Rayon, Staple Fibre and Synthetic Fibres.

This sector has also its importance with respect to rawmaterials. Rayons are manufactured according to the viscose, cuprammonium and acetate processes. Within Germany I. G. is the only firm applying the three methods. The viscose-rayons of I. G. are known on the markets under the names: *Agfa-rayon*, *Agfa-Trinova*, *Agfa-Dunova*, *Agfa-Suprema edelmatt* and *Agfa-Trevira tiefmatt*. The *Agfa-rayons* find a manifold use in all fields of textile industry. *Aceta*, *Aceta-matt* and *Acelan* are products of cellulose-acetate of the Lichtenberg works. They are applied for high-class goods in silk-weaving and silk-knitting. The same factory also manufactures a staple fibre, the *Aceta-fibre*.

The birthplace and the cradle of the *Vistra-fibre* and of the staple-fibre itself is the factory at Premnitz. Thanks to a pioneering work of more than 20 years I. G. possesses rich experiences in the field of staple fibres. With the invention of the *Vistra-fibre* in the year 1919 a new textile epoche began. In the

*Stocks of Zellstoff at Wolfen  
rayon factories*

*Rotary drums for maturing  
alkaline cellulose*



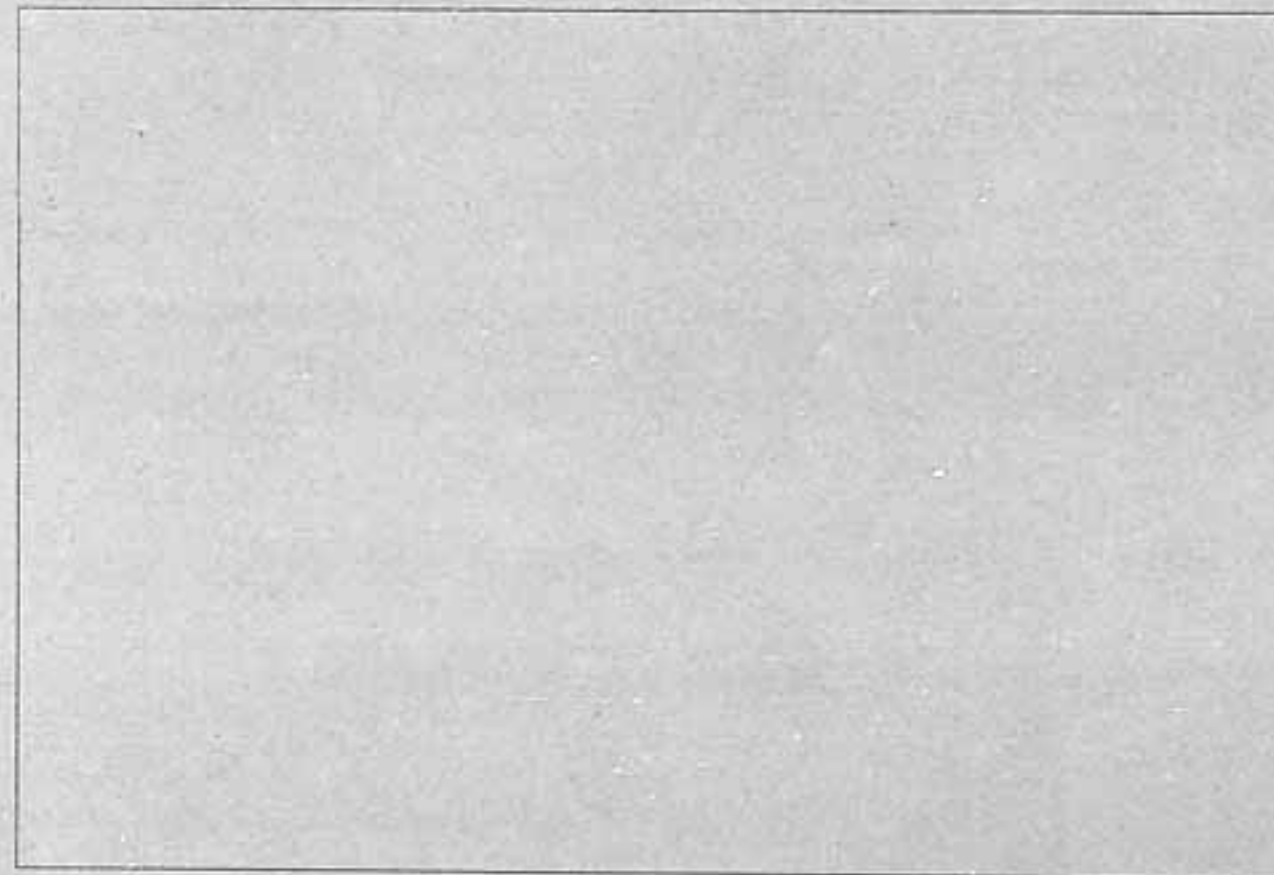


### Vistra fibre

beginning the *Vistra*-fibre was mainly used in the cotton and silk industries. Then came the invention of *Vistra XT*, a fibre with a surface of definite structure and permanent curl. This invention has been a sensational progress. It extended the use of staple fibres all over the various branches of the wool industry. Under the name *Vistra XT-h* the fibre is also manufactured in a water-repellent quality. It keeps this very property while being dyed or boiled or fulled. Another fibre, *Vistralan XT*, is now being put on the market. It has the character of *Vistra XT* and permits dying together with wool dyestuffs. A further progress in the *Vistra*-development represents the *Vistra-hochnaßfest* (very resistant to swelling), the latest staple fibre invention. Besides of the valuable properties of *Vistra* this fibre is characterized by a tensile strength in moist and dry state higher than American cotton. Special staple fibres of high quality for the wool industry are also *Cuprama* and *Cuprama SK* with permanent curl. There is furthermore *Lanusa* which besides having a permanent curl can be very readily dyed even in heavy shades. According to the acetate-process the *Aceta*-fibre is produced, a high class staple fibre with Merinoscurl and low specific weight.

An absolutely new textile rawmaterial is *Pe-Ce-Fibre*. It is not produced from cellulose but from coal and lime. *Pe-Ce-Fibre* is not affected by water or by putrefactive agents and also is not affected by almost any kinds of acids or alkalis. It is not inflammable

Sorting-out Agfa artificial silk-hanks



### Vistrafaser

Textilepoche ein. Zunächst wurde die Vistrafaser in der Hauptsache in der Baumwoll- und Seidenindustrie verarbeitet. Dann kam die Schaffung der *Vistra XT*, einer Faser mit struktureller Oberfläche und bleibender Kräuselung. Sie war ein aufsehenerregender Fortschritt, der die Verwendung der Zellwolle auf das gesamte Gebiet der Wolle ausdehnte. Die Faser wird unter dem Namen *Vistra XT-h* auch wasserabweisend hergestellt. Diese Eigenschaft bleibt ihr beim Färben, Kochen und Walken erhalten. Als *Vistralan XT* kommt jetzt ferner eine Faser auf den Markt mit dem Charakter der *Vistra XT*, die sich mit Wollfarbstoffen färben läßt. Eine ganz neue Stufe der *Vistra*-Entwicklung wurde durch *Vistra hochnaßfest*, die jüngste Zellwollschöpfung der I.G., erreicht. Diese Faser besitzt außer den hochwertigen Eigenschaften der *Vistra* höhere Trocken- und Naßfestigkeit als amerikanische Baumwolle. Spezial-Zellwollen von hoher Qualität für die Wollindustrie sind außerdem noch die *Cuprama* und *Cuprama SK* mit bleibender Kräuselung, ferner die *Lanusa*, die neben bleibender Kräuselung auch großes Farbaufnahmevermögen aufweist. Nach dem Acetatverfahren wird die *Acetafaser* hergestellt, eine hochwertige Zellwolle mit Merino-Kräuselung und geringstem spezifischem Gewicht.

Ein ganz neuartiger textiler Rohstoff ist *Pe-Ce-Faser*, der erste nicht auf Zellulosebasis, sondern synthetisch aus Kohle und Kalk gewonnene Textilrohstoff. *Pe-Ce-Faser* ist vollkommen unempfindlich gegen Wasser und Fäulniserreger und wird fast von keiner Säure

Sortieren von Agfa-Kunstseidesträngen





oder Lange angegriffen. Außerdem brennt sie nicht, weist eine höhere Isolationsfähigkeit und Elastizität als Naturseide auf und besitzt eine Naßfestigkeit, die ebenso groß ist wie ihre Trockenfestigkeit. Die Abteilung Riechstoffe der Agfa, Berlin, ist auf dem Gebiet der synthetischen

#### Riechstoffe

spezialisiert. In verschiedenen Werken der I.G. werden die wichtigsten Riechstoffe in Großfabrikation hergestellt; sie finden bei der Herstellung von Feinparfümerien und zur Parfümierung von Seifen weitgehende Verwendung.

Als Spezialprodukt für die Schokoladen- und Nahrungsmittelindustrie werden im Werk Wollen *Vanillin* und *Vanillone* (Äthylvanillin) hergestellt.

Aus dem gleichen Rohmaterial, das bei der Fabrikation der Agfa-Kunstseide verwendet wird, fabriziert die I.G. nach einem patentierten Verfahren die

#### Agfa-Viskose-Schwämme.

Diese Schwämme werden in gleichmäßigen Größen und Poren hergestellt. Infolge ihrer außerordentlichen Saugfähigkeit finden die Viskose-Schwämme bei Reinigungszwecken mannigfacher Art Verwendung, so zum Fensterputzen, Reinigen von Möbeln, Türen, Teppichen, Kristall usw., ferner für die Auto- und Bootspflege. Als Toilettenschwamm wird eine besondere Sorte hergestellt, die unter dem Namen *Spongina* im Handel erhältlich ist.

Beschließen wir die bunte Palette aus der weitverbreiteten Produktion der I.G. mit den

#### Photographika.

Auch hier sei nur das Wichtigste genannt. Die Agfa liefert Kameras, wie *Box*, *Billy* und *Karat* für den Photoamateur, ferner jegliches Aufnahmematerial, vor allem *Isoschrofilm*, *Isopanfilm* und den *Agfa-Color-Film* für Farbaufnahmen.

Welche Bedeutung der Farbenphotographie zukommt, geht aus einer Notiz hervor, die kürzlich eine Kleinbildzeitschrift veröffentlichte; in einem wissenschaft-



Die handliche Agfa-Filmkamera Movex 8

lichen Institut seien Mikro-Aufnahmen auf Agfacolor-Neu hergestellt worden, mit denen Farbkänderungen an Kristallen festgehalten werden konnten, die dem Auge des Untersuchenden nicht wahrnehmbar waren. — Die medizinische Forschung hat das neue Verfahren gleichfalls sofort in ihren Dienst gestellt. Und der Kunsthistoriker kann jetzt beispielsweise in jeder Sammlung und Bibliothek mit seinem Gerät für Schwarzweiß-Aufnahmen ohne Zusatzmittel alte, handkolorierte Stiche oder japanische Farbholzschnitte seinen Studien und Vortragsmitteln einverleiben: die Farbenpracht alter Gobelins, Teppiche oder Brokatsstoffe wird er seinen Hörern jetzt in natura vorführen können. Der Botaniker sieht seine kühnsten Träume verwirklicht, und dem Meteorologen bietet sich die Möglichkeit, in eisiger Polarnacht die merkwürdigen Phänomene des vielgestaltigen und viel-farbigem Nordlichts für immer festzuhalten — könnte man sich in Zukunft überhaupt die Ausrüstung einer wissenschaftlichen Expedition ohne Farbfilm, ohne Agfacolor-Neu vorstellen?

Die Agfa fabriziert ferner Photopapiere für alle Zwecke, wie *Lupex*, *Brovira*, *Brumora* und *Portiga*. Dem Filmamateur stellt sie 16- und 8-mm-Aufnahme- und Vorführapparate, *Movex* und *Movector*, zur Verfügung und dazu für die Aufnahme Umkehrfilme. Für die Berufskinetographie dienen die Negativfilme, Positivfilme und Tonfilme der Agfa, für die Reproduktionstechnik phototechnische Filme und

Röntgenaufnahme

and has an elasticity and insulating power higher than natural silk and its tensile strength is the same in a moist as well as a dry state.

The department for perfume bases of the AGFA, Berlin, is specialized on the field of synthetic

#### Perfume Bases.

In several of I.G.'s factories the most important bases are produced on a large scale. To a large extent they are used in the production of fine perfumes and for perfuming of soaps.

As a special product for the chocolate and cereal industry the Wollen works manufacture *Vanillin* and *Vanillone* (ethyl-vanillin).

According to a licensed process I.G. manufactures

#### Agfa-Viskose-Sponges

by using the same rawmaterial, which is used in the production of Agfa-rayons. The sponges are produced in uniform sizes and with uniform pores. Their sucking-power is extraordinary. That's why *Viskose-Sponges* find universal use for cleaning-purposes, i. e. window-cleaning, cleaning of furniture, doors, carpets, cristalls and also car and boat cleaning. As a toilet-sponge a special quality is produced and sold under the name *Spongina*.

At the end of this colored palette of I.G.s widely subdivided production we come to

#### photographic articles.

In this case also only the most important items may be mentioned. *Agfa* manufactures cameras, like the *Box*, *Billy* and *Karat* for the amateur. Furthermore *Agfa* produces any kind of negative material, mainly *Isoschro-Film*, *Isopan-Film* and the *Agfa-Color-Film* for coloured pictures.

What importance the colour photography has is shown by a note shortly published in a paper for mikro-photography; it is said that in a scientific institute mikro-pictures on *Agfa-Color-Neu* were taken which stated colour changes on cristalls invisible to the human eye. — Medical research also has taken up

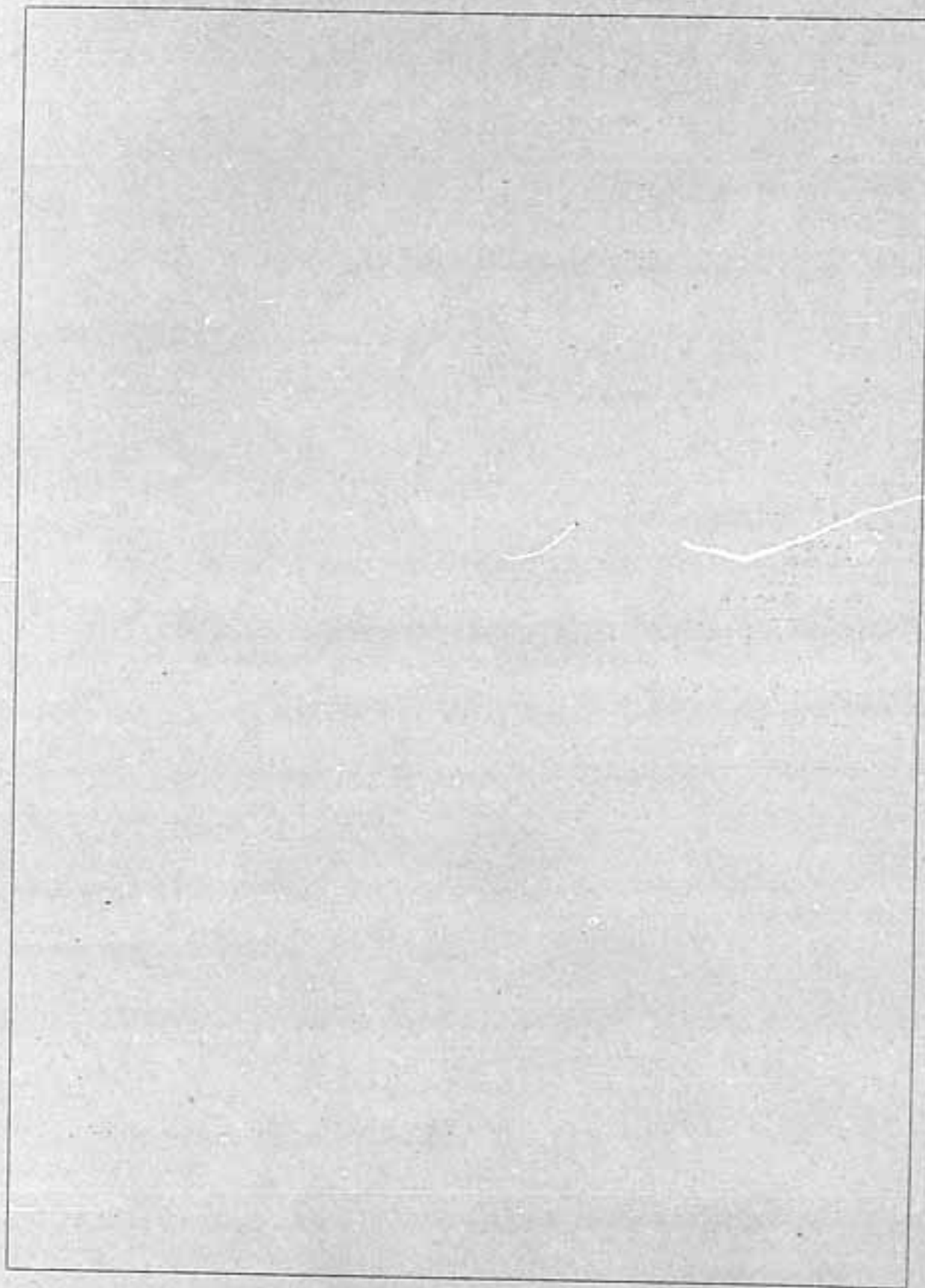
The handy Agfa-movie camera movex 8

the new method immediately. With a ordinary camera and without any additional apparatus the art critic now is enabled to take pictures of old handcoloured engravings and Japanese coloured woodcuts in libraries and collections. He now can show in natura to his audience the splendor of old gobelins, carpets and brocade. The botanist sees the realisation of his most daring dreams and the meteorologist now has a chance in ice-cold polar-nights to picture the immense phenomenon aurora borealis in its variety of forms and colours. Is it possible to think of a future scientific expedition without any coloured films, without *Agfa-Color-Neu*?

*Agfa* furtheron produces photographic printing papers for all purposes, i. e. *Lupex*, *Brovira*, *Brumora* and *Portiga*. It delivers to the movie amateur 16- and 8 mm cine apparatus and projectors, *Movex* and *Movector*, and the necessary film material. For the professional cinematography *Agfa* produces positiv-films, negativ-films and soundtrack films. Phototechnical films are manufactured for reproduction purposes.

X-ray picture





*In an I. G. workmen's colony*  
*Agfa-color-new micro-picture*



*Aus einer I. G.-Siedlung*  
*Nach einer Agfacolor-Neu-Kleinbildaufnahme*

plates for photogrammetry and flight-photography, dark-room installations and chemicals for photo-shops as well as X-ray-safety-films for the physician.

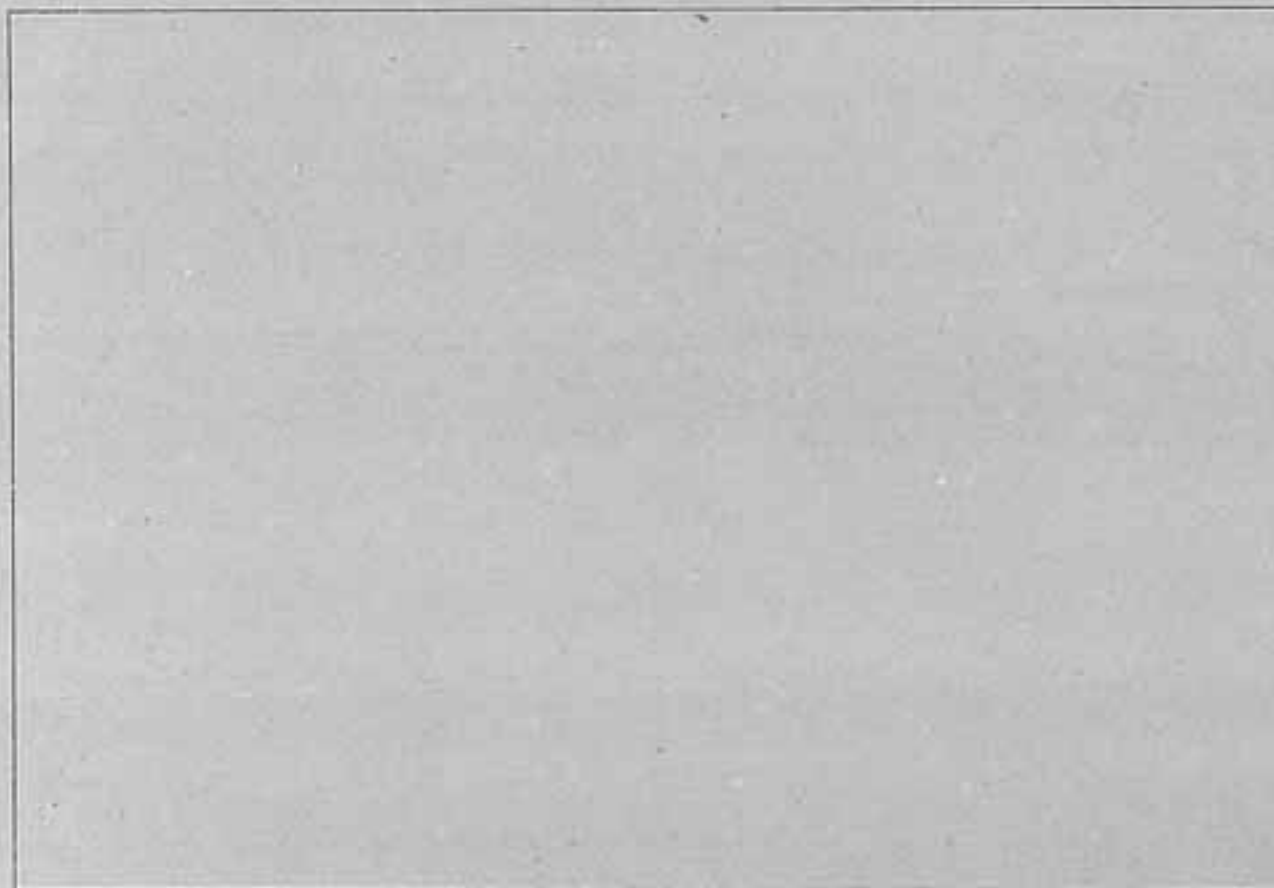
#### Kalle & Co. Inc., Wiesbaden-Biebrich

a firm closely connected with I. G. produces *Ozalid*-papers for all purposes of heliographic reproductions. For the home cinematography it produces *Ozaphan*-film preferable by its cheapness. Generally known is the cristall-clear, beautiful wrapping-material *Cellophan* also manufactured by Kalle & Co. But also for fashion purposes this transparent foil has won particular importance. *Cellophan* as fashion-*Cellophan* is used for braiding hats, as *Fluro-fibre* for producing peculiar wire-hair effects in suit materials. *Cellophan* as *Textil-Cellophan* also is used for fabrics in form of effect-threads. *Cellometall* may be mentioned too. It is a not oxidizable compound of *Cellophan* and metal for belts, braids and cords. Textil and soap industry highly value *Tylose* for finishing purposes. Especially today this agent like many others has become extremely important. It does away with the dependance from and the lack of raw products originally used for this purpose. The painter cannot miss *Glutolin-glue* and likewise the wallpaper hanger cannot miss *Glutolin-paste*.

To the German nation treasures of its own soil are

only given in a limited degree. Consequently it always has been the problem for the German inventive genius to produce the non-available out of the available substances and to provide by export-efforts those materials otherwise only procurable by heavy tributes. At all times processing work has been one of the main issues of the German handicraft-men. It now becomes one of the main issues for the industry. Chemical industry early recognized its special problem but also its chances. It creates valuable goods out of simple rawmaterials. Its production does not only give work to hundreds of thousands but also a possibility to the own economy to buy out of the earnings rawmaterials from abroad and to develop lively trade relations to markets and industries of foreign nations. The activities of I. G. within the production program of the German Four Years Plan could not be more many-sided. They testify for an issue right amidst development. In spite of the manysidedness of its interlacements and collaboration the totality of I. G.'s work forms a unity. The sum of its products loads freight trains and ocean steamers but it also is composed of the smallest units. Such a totality of work only can be thought of as a consequence of laborious activity and far-sighted organisation. This totality of work has its roots in the quiet rooms of scientific research and it is the expression of a creative genius directed on the realities of our days.

*Rolls of cellophan in all colours, sizes and strengths.*



Platten, für Luftbildaufnahmen und für Photogrammetrie Spezialfilme und Platten, für den Händler Dunkelkammereinrichtungen und Chemikalien, für den Arzt Röntgen-Sicherheitsfilme.

Die der I. G. nahestehende Firma

#### Kalle & Co. Aktiengesellschaft Wiesbaden-Biebrich

liefert *Ozalid-Papier* für alle Lichtpausarbeiten und stellt für die Zwecke des Heimkinos den *Ozaphanfilm* her, der den Vorzug außerordentlicher Billigkeit hat. Allgemein bekannt als glasklares, schönes Verpackungsmittel ist *Cellophan*, das von der Firma Kalle & Co. hergestellt wird. Diese durchsichtige Folie ist aber auch für die Mode von besonderer Bedeutung geworden. So verwendet man *Cellophan* als Mode-*Cellophan* für Hutgeflechte, als *Flurofaser* für eigenartige, wirkungsvolle Drahthaar-Effekte in Kleidern und als *Textilcellophan* in Form von Effekt-fäden in Geweben. Auch *Cellometall* sei erwähnt, eine nicht oxydierende Verbindung von *Cellophan* mit Metall für Gürtel, Zierborten und Schnüre. Die Textilindustrie und die Seifenindustrie schätzen *Tylose* für Appreturzwecke, ein Mittel, das wie viele andere gerade heute besonders wichtig geworden ist, da es die Abhängigkeit und den Mangel an ursprünglich für die gleichen Zwecke verwendeten Rohstoffen beseitigt. Für den Maler ist *Glutolin-Leim* und für den Tapezierer *Glutolin-Kleister* zu einem unentbehrlichen Hilfsmittel geworden.

Bodenschätze stehen dem deutschen Volk nur in begrenztem Umfang zur Verfügung. So mußte dem deutschen Erfindergeist von jeher die Aufgabe zufallen, aus den vorhandenen Stoffen das Nichtvorhandene, durch Leistungen für die Ausfuhr das allenfalls nur durch schwere Tribute Zugängliche zu beschaffen. Veredelungsarbeit ist in alten Zeiten eine der Hauptaufgaben des deutschen Handwerks gewesen, jetzt erscheint sie in großem Ausmaß als eine Aufgabe der Industrie. Die chemische Industrie hat ihre Sonderaufgabe, aber auch ihre Möglichkeiten früh erkannt. Sie schafft aus einfachen Rohstoffen hochwertige Waren, deren Herstellung nicht nur Hunderttausende von Händen beschäftigt, sondern auch der heimischen Wirtschaft die Möglichkeit gibt, aus dem Erlös des Verkaufes vom Ausland Rohstoffe zu kaufen und mit den Handelsplätzen und Industrien fremder Länder in regen Austausch zu treten. Der Einsatz der I. G. Farbenindustrie Aktiengesellschaft im Produktionsprogramm des deutschen Vierjahresplanes könnte nicht vielseitiger sein. Er bezeugt eine Aufgabe mitten im Fluß der Entwicklung. Trotz der Vielseitigkeit ihrer Verflechtungen und ihres Zusammenspiels bietet das Gesamtwerk der I. G. ein Bild der Geschlossenheit. Die Summe ihrer Erzeugnisse befrachtet Eisenbahnzüge und Ozean-schiffe, aber sie setzt sich ebenso aus aller kleinsten Einheiten zusammen. Ein solches Gesamtwerk ist nur denkbar als das Ergebnis emsigsten Fleißes und umsichtiger organisatorischer Ordnung. Es wurzelt in den stillen Arbeitsstätten naturwissenschaftlicher Forschung, und es ist der Ausdruck eines auf die Wirklichkeiten unserer Zeit gerichteten schöpferischen Willens.

*Cellophan-Rollen in allen Farben, Stärken und Breiten*







*Das neue »Bayer«-Verwaltungsgebäude in Leverkusen*

*The new »Bayer« administration building at Leverkusen*

# I.G. FARBENINDUSTRIE AKTIENGESellschaft

(I. G. Dyes Joint Stock Company)

Headquarters: Frankfurt-on-Main, Grüneburgplatz.

## Managing board:

Geheimer Kommerzienrat Dr. Hermann Schmitz, Ludwigshafen / Rhine and Heidelberg, Chairman;  
 Dr. Fritz Gajewski, Leipzig;  
 Professor Dr. Heinrich Hörlein, Wuppertal-Elberfeld;  
 Dr. August von Knieriem, Mannheim;  
 Dr. Carl Krauch, Heidelberg-Schlierbach;  
 Dr. Fritz ter Meer, Kronberg (Taunus);  
 Dr. Christian Schneider, Leuna;  
 Dr. Georg von Schnitzler, Frankfurt-on-Main.  
 Dr. Otto Ambros, Ludwigshafen / Rhine;  
 Dr. Max Brüggemann, Leverkusen-Wiesdorf;  
 Dr. Ernst Bürgin, Bitterfeld;  
 Dr. Heinrich Bütetisch, Leuna;  
 Ministerialrat a. D. Dr. Bernhard Buhl, Frankfurt-on-Main;  
 Paul Haefliger, Frankfurt-on-Main;  
 Dr. Max Ilgner, Berlin-Steglitz;  
 Dr. Constantin Jacobi, Frankfurt-on-Main;  
 Dipl.-Ing. Friedrich Jähne, Frankfurt-on-Main;  
 Dr. Hans Kühne, Leverkusen-Wiesdorf;  
 Professor Dr. Carl Ludwig Lautenschläger, Frankfurt-on-Main;  
 Generalkonsul Wilhelm Rudolf Mann, Leverkusen-Wiesdorf;  
 Dr. Heinrich Oster, Berlin-Charlottenburg;  
 Kommerzialrat Wilhelm Otto, Berlin-Zehlendorf-West;  
 Dr. Otto Scharf, Halle a. d. S.;  
 Kommerzienrat Hermann Waibel, Wiesbaden;  
 Dr. Hans Walther, Frankfurt-on-Main;  
 Eduard Weber-Andreae, Frankfurt-on-Main;  
 Dr. Carl Wurster, Ludwigshafen / Rhine.

## Board of Directors:

Geheimer Kommerzienrat Professor Dr. Carl Bosch, Heidelberg, Chairman;  
 Dr. Walther vom Rath, Kronberg (Taunus), Deputy Chairman;  
 Dr. Wilhelm Ferdinand Kalle, Tutzing (Upper Bavaria), Deputy Chairman;  
 Dr. Axel Aubert, Oslo;  
 Dr. Richard Bayer, Haus Falkenberg, Trills über Wuppertal-Vohwinkel;  
 Waldemar von Böttinger, Farmer, Schloss Arensdorf in der Neumark;  
 Dr. Walter von Brüning, Polizeipräsident a. D., Semper auf Rügen;  
 Kommerzienrat Lothar Brunck, Kirchheimbolanden (Palatinate);  
 Dr. Carl Ludwig Duisberg, Berlin-Zehlendorf-Mitte;  
 Kommerzienrat Dr. Wilhelm Gaus, Gut Schmalzhof, Starnberg am See;  
 Dr. Jacob Hasslacher, Duisburg-Ruhrort;  
 Dr. Karl Krekeler, Köln-Mülheim;  
 Dr. Eduard Mosler, Berlin;  
 Dr. Paul Müller, Köln-Marienburg;  
 Karl Pfeiffer, Berlin-Schlachtensee;  
 Dr. Gustav Pistor, Leipzig;  
 Graf Rutger Jan Eugen Schimmelpenninck, Den Haag (Netherlands);  
 Staatsminister a. D. Dr. Friedrich Schmidt-Ott, Exzellenz, Berlin-Steglitz;  
 Leopold Freiherr von Schrenck-Notzing, Berlin;  
 Professor Erwin Selck, Luisenhof-Hohemark bei Oberursel (Taunus).

## Auditor for the business year 1938:

Dr. Richard Karoli, Berlin.

# I.G. FARBENINDUSTRIE AKTIENGESellschaft

Sitz der Verwaltung: Frankfurt am Main, Grüneburgplatz.

## Vorstand:

Geheimer Kommerzienrat Dr. Hermann Schmitz, Ludwigshafen a. Rh./Heidelberg, Vorsitz;  
 Dr. Fritz Gajewski, Leipzig;  
 Professor Dr. Heinrich Hörlein, Wuppertal-Elberfeld;  
 Dr. August v. Knieriem, Mannheim;  
 Dr. Carl Krauch, Heidelberg-Schlierbach;  
 Dr. Fritz ter Meer, Kronberg (Taunus);  
 Dr. Christian Schneider, Leuna;  
 Dr. Georg von Schnitzler, Frankfurt a. M.  
 Dr. Otto Ambros, Ludwigshafen a. Rh.;  
 Dr. Max Brüggemann, Leverkusen-Wiesdorf;  
 Dr. Ernst Bürgin, Bitterfeld;  
 Dr. Heinrich Bütetisch, Leuna;  
 Ministerialrat a. D. Dr. Bernhard Buhl, Frankfurt a. M.;  
 Paul Haefliger, Frankfurt a. M.;  
 Dr. Max Ilgner, Berlin-Steglitz;  
 Dr. Constantin Jacobi, Frankfurt a. M.;  
 Dipl.-Ing. Friedrich Jähne, Frankfurt a. M.;  
 Dr. Hans Kühne, Leverkusen-Wiesdorf;  
 Professor Dr. Carl Ludwig Lautenschläger, Frankfurt a. M.;  
 Generalkonsul Wilhelm Rudolf Mann, Leverkusen-Wiesdorf;  
 Dr. Heinrich Oster, Berlin-Charlottenburg;  
 Kommerzialrat Wilhelm Otto, Berlin-Zehlendorf-West;  
 Dr. Otto Scharf, Halle a. d. S.;  
 Kommerzienrat Hermann Waibel, Wiesbaden;  
 Dr. Hans Walther, Frankfurt a. M.;  
 Eduard Weber-Andreae, Frankfurt a. M.;  
 Dr. Carl Wurster, Ludwigshafen a. Rh.

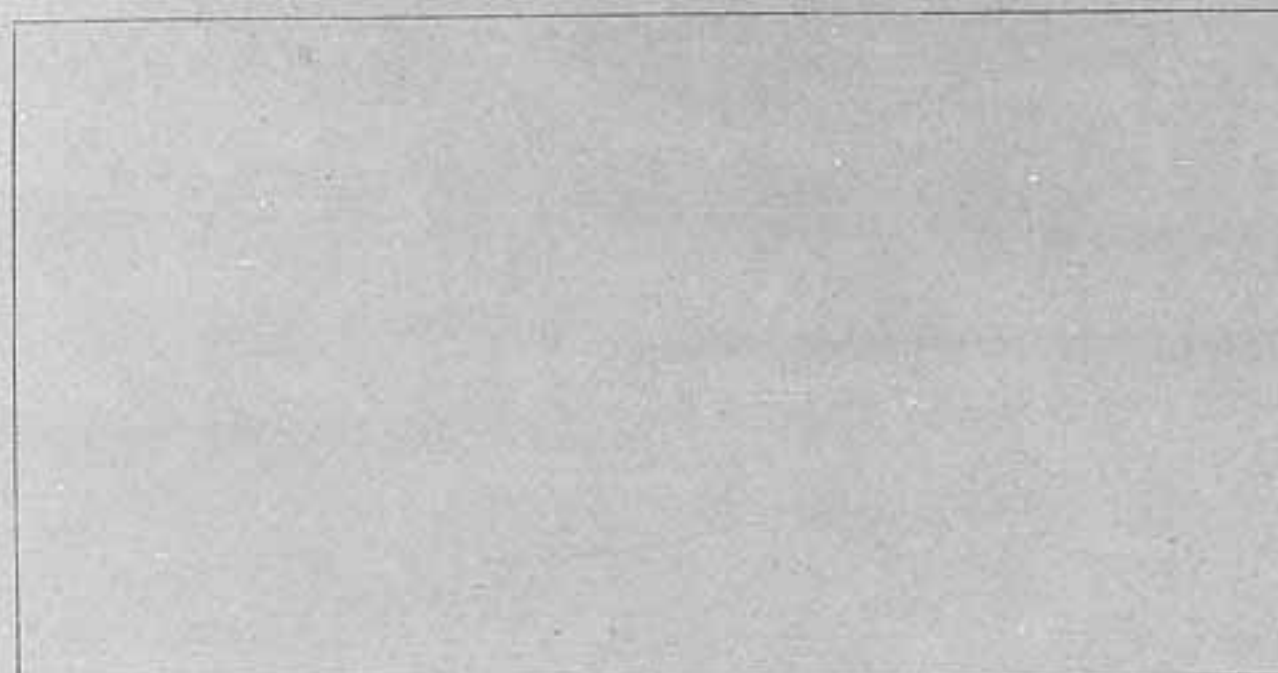
## Aufsichtsrat:

Geheimer Kommerzienrat Professor Dr. Carl Bosch, Heidelberg, Vorsitz;  
 Dr. Walther vom Rath, Kronberg (Taunus), stellvertretender Vorsitz;  
 Dr. Wilhelm Ferdinand Kalle, Tutzing (Oberbayern), stellvertretender Vorsitz;  
 Dr. Axel Aubert, Oslo;  
 Dr. Richard Bayer, Haus Falkenberg, Trills über Wuppertal-Vohwinkel;  
 Waldemar von Böttinger, Landwirt, Schloß Arensdorf i. d. Neumark;  
 Dr. Walter von Brüning, Polizeipräsident a. D., Semper a. Rügen;  
 Kommerzienrat Lothar Brunck, Kirchheimbolanden (Pfalz);  
 Dr. Carl Ludwig Duisberg, Berlin-Zehlendorf-Mitte;  
 Kommerzienrat Dr. Wilhelm Gaus, Gut Schmalzhof, Starnberg am See;  
 Dr. Jakob Haßlacher, Duisburg-Ruhrort;  
 Dr. Karl Krekeler, Köln-Mülheim;  
 Dr. Eduard Mosler, Berlin;  
 Dr. Paul Müller, Köln-Marienburg;  
 Karl Pfeiffer, Berlin-Schlachtensee;  
 Dr. Gustav Pistor, Leipzig;  
 Graf Rutger Jan Eugen Schimmelpenninck, Den Haag (Holland);  
 Staatsminister a. D. Dr. Friedrich Schmidt-Ott, Exzellenz, Berlin-Steglitz;  
 Leopold Freiherr von Schrenck-Notzing, Berlin;  
 Professor Erwin Selck, Luisenhof-Hohemark bei Oberursel (Taunus).

## Abschlußprüfer für das Geschäftsjahr 1938:

Dr. Richard Karoli, Berlin.





Badische Aniline and Soda Works, Ludwigshafen, 1860

## Development and Organisation

### Foundation History:

On December 9th 1925 the *Badische Anilin- & Soda-Fabrik, Ludwigshafen am Rhein* (Badische Aniline and Soda Works) which was one of the important members of the "community of interests" agreement of the German tar dyestuffs industry transferred their headquarters to Frankfurt/Main changing their name to

#### I.G. Farbenindustrie Aktiengesellschaft

and increasing their share capital to RM 646,000,000.— (to day RM 720,000,000.—). A historic development of the German chemical industry was thus concluded. The undertakings 5 companies were incorporated in the *Badische Anilin- & Soda-Fabrik*:

- *Farbenfabriken vormals Friedrich Bayer & Co., Leverkusen* (Dyestuff Works formerly Friedrich Bayer & Co., Leverkusen)
  - *Farbwerke vormals Meister Lucius & Brüning, Höchst* (Dyestuff Works formerly Meister Lucius & Brüning, Höchst)
  - *Aktiengesellschaft für Anilinfabrikation, Berlin* (Joint Stock Company for the Production of Aniline, Berlin)
  - *Chemische Fabriken vormals Weiler-ter Meer, Uerdingen* (Chemical Works formerly Weiler-ter Meer, Uerdingen)
  - *Chemische Fabrik Griesheim-Elektron, Frankfurt am Main* (Chemical Works Griesheim-Elektron, Frankfurt-on-Main)
- Two further companies i. e. *Leopold Casella & Co. G. m. b. H., Frankfurt-on-Main* and *Kalle & Co., Aktien-*

*gesellschaft, Biebrich*, did not amalgamate at that time, as their capital stock was largely held by the remaining firms of the I.G. Dyes group. They were however included in the organisation and the building up of the concern. (In December 1937 also Messrs. Leopold Casella & Co., G. m. b. H., Frankfurt-on-Main, were absorbed by amalgamation by I.G. Dyes). The names of the amalgamated firms remained in existence by registering them as branches.

All the above mentioned companies were established in the early sixties as the result of the far reaching inventions in the field of tar dyestuffs. Basing their work right from the beginning upon careful scientific research and recognizing the immense value of closest cooperation between science and industry they soon expanded their original production schedule i. e. the manufacture of tar dyestuffs in view of the great number of new experiences thus gained. These resulted in exploring always new fields as for example the manufacture of inorganic products and organic intermediate products, pharmaceuticals, photographic supplies etc. Soon the old works were no longer able to cope with the demand. If only limited possibilities for an expansion existed new factories were founded which offered certain advantages as far as freights and the operating of the plants were concerned. Sales increased considerably and soon exports to many foreign countries resulted. In Europe and Overseas new auxiliary factories were established. An always improving sales organisation connected the tar dyestuffs industry of Germany with the markets of Europe and Overseas.

This quick growth soon resulted in a severe competition amongst the individual German firms in home and foreign markets, which was apt to hinder the development of the whole industry and to endanger its world reputation. Already in 1904 Carl Duisberg



Badische Anilin- & Soda-Fabrik, Ludwigshafen, 1865

## Entwicklung und Aufbau

### Gründungsgeschichte:

Am 9. Dezember 1925 verlegte die *Badische Anilin- & Soda-Fabrik, Ludwigshafen a. Rhein*, eine der großen Mitgliedsfirmen der Interessengemeinschaft der deutschen Teerfarbenfabriken, unter Änderung ihres Namens in

#### I.G. Farbenindustrie Aktiengesellschaft

und unter Erhöhung ihres Aktienkapitals auf Reichsmark 646 Millionen (heute 720 Millionen) ihren Sitz nach Frankfurt am Main. Ein Stück Geschichte der deutschen chemischen Industrie war damit zum Abschluß gekommen. Fünf Firmen gingen durch Verschmelzung in der sechsten, der *Badischen Anilin- & Soda-Fabrik*, auf:

- die *Farbenfabriken vorm. Friedr. Bayer & Co., Leverkusen*,
- die *Farbwerke vorm. Meister Lucius & Brüning, Höchst*,
- die *Aktiengesellschaft für Anilinfabrikation, Berlin*,
- die *Chemischen Fabriken vorm. Weiler-ter Meer, Uerdingen*, und
- die *Chemische Fabrik Griesheim-Elektron, Frankfurt am Main*.

Zwei weitere, die ebenfalls zur alten Interessengemeinschaft gehört hatten, die Firmen *Leopold Casella & Co. G. m. b. H., Frankfurt am Main*, und *Kalle & Co. Aktiengesellschaft, Biebrich*, fusionierten damals nicht, da sie schon zum größten Teil im Besitz der übrigen I.G.-Firmen waren. Sie wurden aber in die Organisation und den betrieblichen Aufbau der I.G. Farbenindustrie miteinbezogen (im Dezember 1937 ging auch die Firma *Leopold Casella & Co. G. m. b. H.*,

Frankfurt am Main, durch Umwandlung in der I.G. auf). Die Namen der fusionierten Firmen blieben durch Eintragung als Zweigniederlassungen erhalten.

Alle die genannten Unternehmungen wurden kurz hintereinander Anfang der 60er Jahre des vorigen Jahrhunderts gegründet als Folge der umwälzenden Erfindungen auf dem Gebiet der Teerfarbstoffe. Von vornherein auf exakter wissenschaftlicher Arbeit aufbauend und den ungeheuren Wert engster Verbindung zwischen Wissenschaft und Technik erkennend, waren sie mit der Fülle neuer chemischer Erkenntnisse bald über den Rahmen der ursprünglichen Teerfarbenherstellung hinausgewachsen. Es hatte sie zu immer neuen Gebieten geführt: zur Herstellung anorganischer Produkte und organischer Zwischenprodukte, zur Herstellung pharmazeutischer Heilmittel, photographischer Artikel und dergl. mehr. Die alten Betriebe waren den Anforderungen bald nicht mehr gewachsen. Soweit die Ausdehnungsmöglichkeit beschränkt war, gründete man neue Werke mit guten frachtlichen und betriebstechnischen Vorbedingungen. Es entstanden Leverkusen am Niederrhein, neue Fabriken in Wolfen und Bitterfeld in Mitteldeutschland. Die Absatzgebiete wuchsen, führten über die Grenzen hinaus in alle Welt. Fabrikatorische Stützpunkte in Europa und Übersee wurden geschaffen. Ein dichtes Vertreternetz knüpfte immer neue Fäden zwischen Deutschlands Teerfarbenindustrie und den Märkten von Europa und Übersee.

Die schnelle Ausdehnung führte sehr bald im In- und Ausland zu einem heftigen Konkurrenzkampf der einzelnen deutschen Firmen untereinander, der auf die Dauer die Entwicklung der deutschen chemischen Industrie als Ganzes nur bremsten und ihre Weltgeltung gefährden mußte. Schon im Jahre 1904 ent-





Farbenfabriken  
vorm. Friedr.  
Bayer & Co.,  
Elberfeld, 1878

schloß sich daher *Carl Duisberg*, angeregt durch eine Studienreise in die Vereinigten Staaten von Nordamerika, in einer Denkschrift auf die Nachteile dieses Zustandes hinzuweisen. Er entwickelte dabei den Plan und die Organisation zu einer großen Interessengemeinschaft aller deutschen Teerfarbenfabriken, deren Endziel einmal der völlige Zusammenschluß in einem Gebilde sein sollte, in dem keine interne Konkurrenz und kein eigensüchtiges Gewinnstreben einzelner auf Kosten der anderen, sondern gemeinsame Arbeit an gemeinsamen Problemen walten sollte. Drei Firmen brachte dieser Plan sofort zur ersten Interessengemeinschaft: die *Farbenfabriken vorm. Friedr. Bayer & Co., Elberfeld*, die *Badische Anilin- & Soda-Fabrik, Ludwigshafen*, und die *Actiengesellschaft für Anilinfabrikation, Berlin*. Diese Interessengemeinschaft sah den Austausch von Erfahrungen und weitgehende Ausschaltung gegenseitiger Konkurrenz vor und förderte so die Weiterentwicklung der drei Partner. Bald danach traten auch die Firmen des Maingaubezirk: *Höchst*, *Cassella* und *Kalle*, in engere, allerdings mehr kapitalmäßige Beziehungen zueinander.

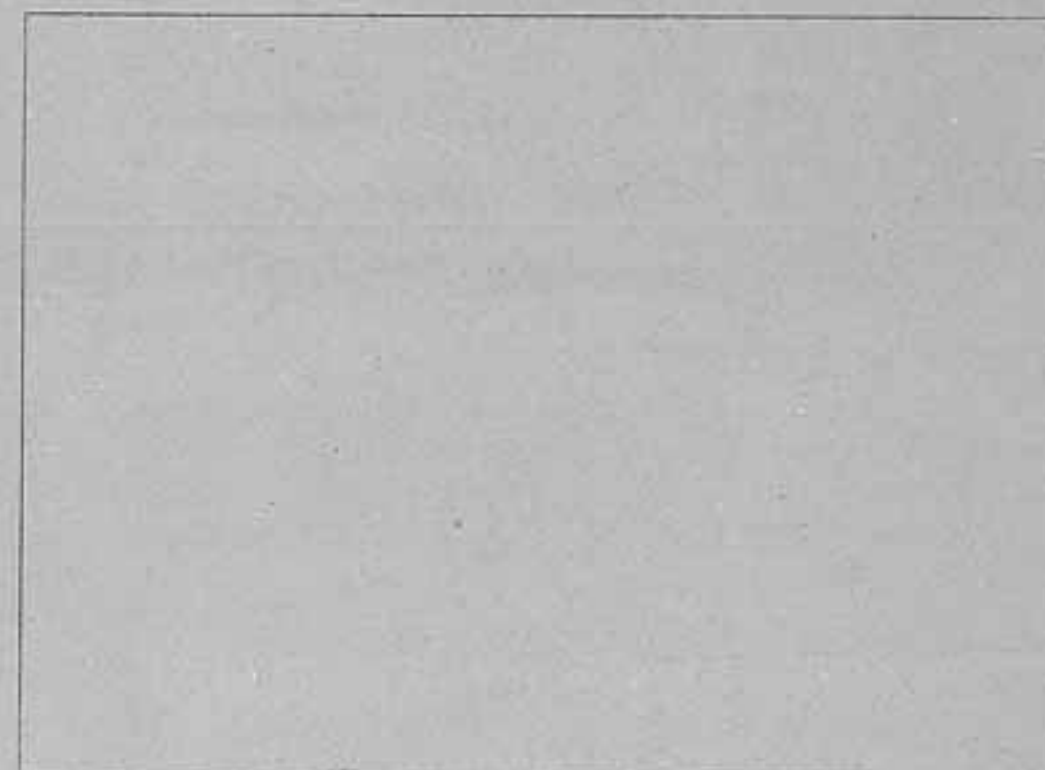
Der Weltkrieg schuf für die völlig unvorbereitete chemische Industrie eine Fülle neuer Probleme und Aufgaben, deren Lösung nur in gemeinsamer Arbeit möglich war. So wurde der Plan einer umfassenden Interessengemeinschaft aufgegriffen, und es gelang im Jahre 1916, die Partner der kleinen I.G. des Jahres 1904 mit den übrigen Firmen zusammenzubringen. Ein großer Schritt war getan. Aber der Ausgang des Krieges und seine Folgen für die deutsche chemische Industrie ließen diese Interessengemeinschaft nicht zur endgültigen Ausdrucksform werden. Der stark eingeeengte Weltmarkt, die Notwendigkeit, Produktion und Absatz in ein gesundes Verhältnis zu bringen, neue Gebiete mit gemeinsamer Kraft zu erschließen, brachten *Carl Duisberg* und *Carl Bosch* dazu, den Gedanken der Fusion vorwärtszutragen. Man zog freiwillig und vorzeitig die Konsequenzen und schloß

trotz aller Schwierigkeiten in enger Zusammenarbeit mit den Leitern der übrigen großen Firmen die bisherigen Interessengemeinschaftsfirmen zu einer großen Aktiengesellschaft zusammen, die, nach einheitlichen Gesichtspunkten geleitet, dem Eigenleben der einzelnen Produktionsgebiete freien Spielraum lassen sollte.

Es dürfte interessieren, im folgenden kurz die Gründungsdaten der Stammfirmen zu verzeichnen, die zu dem neuen größeren Zweck freiwillig ihr Eigenleben aufgaben, um in anderer Form auf gemeinsamer Grundlage den Zukunftsaufgaben der deutschen chemischen Industrie gewachsen zu sein.

#### Die Stammfirmen der I. G.:

1. *Badische Anilin- & Soda-Fabrik, Ludwigshafen*: hervorgegangen aus der 1861 als offene Handelsgesellschaft errichteten Chem. Fabrik Dyckerhoff, Clemm & Co., im Jahre 1863 umgewandelt in Sonntag, Engelhorn & Clemm, Mannheim, als Aktiengesellschaft gegründet unter dem Namen *Badische Anilin- & Soda-Fabrik* am 6. April 1865 zu Mannheim, Fabrikanlagen zu Ludwigshafen am Rhein.
2. *Farbenfabriken vorm. Friedr. Bayer & Co., Leverkusen*: entstanden aus einem im Jahre 1850 von Friedr. Bayer sen. in Elberfeld gegründeten Geschäft zum Verkauf natürlicher Farbstoffe, Farbenfabrik seit 1863, Aktiengesellschaft seit 11. Juni 1881, Sitz der Verwaltung und der Hauptfabrikationsstätten seit 1912 in Leverkusen am Rhein.
3. *Farbwerke vorm. Meister Lucius & Brüning, Höchst am Main*: gegründet als Anilinfarbenfabrik 1863 durch die Chemiker Dr. Eugen Lucius, Dr. Wilhelm Meister und Kaufmann L. A. Müller, an dessen Stelle 1864 Dr. A. Brüning trat, Aktiengesellschaft seit Dezember 1879.



Dyestuff Works  
formerly Friedr.  
Bayer & Co.,  
Elberfeld, 1878

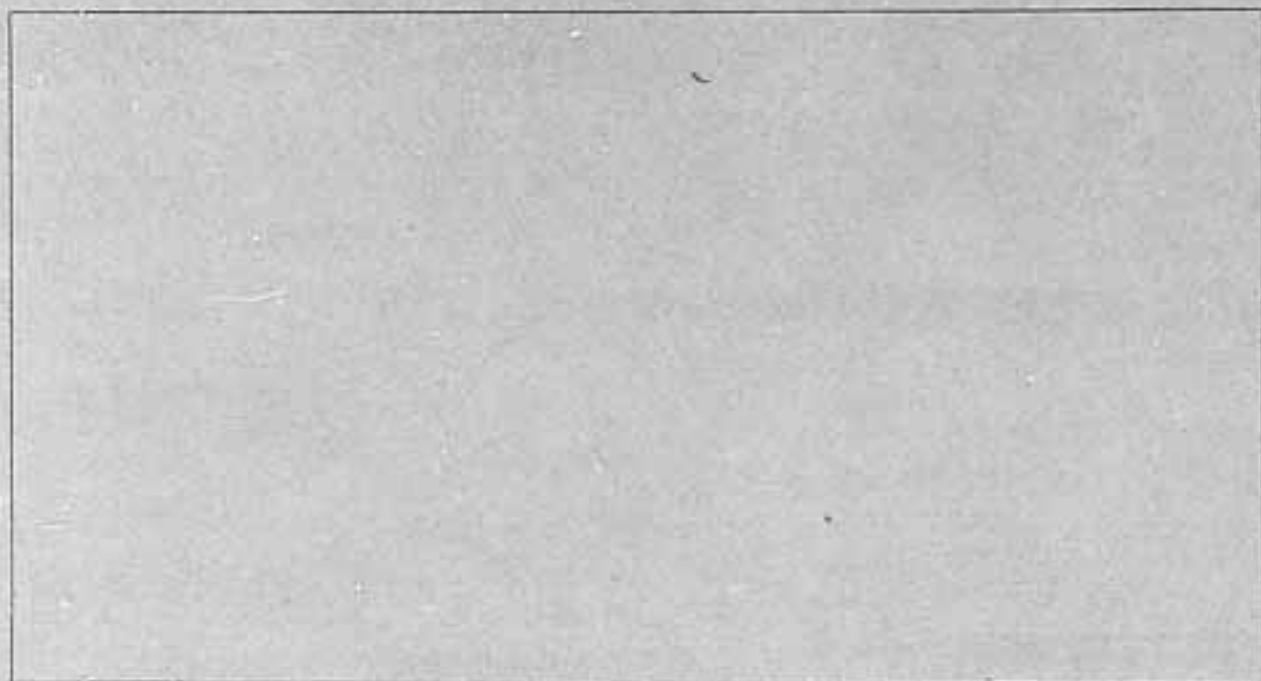
resolved after an information journey in the United States of North America to draw in a memorandum the attention to the disadvantages of this state of affairs. In this memorandum he planned an all comprising organisation resulting in a community of interests of all German tar dyestuffs manufacturers with a view to unite them so as to make impossible all internal competition and to prevent a selfish profiteering of the individual firm without regard to the interests of the other ones. In this way he hoped to bring about a cooperation amongst the individual firms for the solving of problems arising out of common interests. This memorandum resulted in the undernoted three companies agreeing upon their community of interests: *Farbenfabriken vormals Friedrich Bayer & Co., Elberfeld*, *Badische Anilin- & Soda-Fabrik, Ludwigshafen*, *Actiengesellschaft für Anilinfabrikation, Berlin*. The agreement in question provided for the exchange of their experiences as well as a far reaching prevention of all competition thus fostering the further development of the three partners. Soon afterwards also the companies situated on the river Main contacted each other though their agreement referred mainly to their stock holdings. World War No. 1 created for the quite unprepared chemical industry a lot of new problems and tasks which could be solved only by a close cooperation. Thus the plan of an all comprising community of interests was revived and in 1916 the partners of the original agreement and the remaining companies arrived at an understanding. It was a great progress. On account of the outcome of the war and its consequences for the German chemical industry the conclusion of this agreement could not be considered as the final stage in the development of the amalgamation of the German chemical industry. The fact that only limited sales could be effected in the world market as well as the necessity to balance production and sales and to find new markets incited *Carl Duisberg*

and *Carl Bosch* to further amalgamation. Voluntary and in time the consequences were faced and inspite of all difficulties the remaining big companies belonging to this group were merged in close cooperation with their presidents into a big joint stock company which, managed so as to serve the interests of all members, was to leave full scope for the independent development of the individual fields of production. It might be of interest to list hereunder the original firms as well as to give some details on their establishment since they gave up their independence so as to be in a position to contribute as part of a new company to the solving of the future tasks of the German chemical industry.

#### ORIGINAL FIRMS OF I. G. DYES.

1. *Badische Anilin- & Soda-Fabrik, Ludwigshafen*. Established as a partnership in 1861 under the name of *Chemische Fabrik Dyckerhoff, Clemm & Co.* which was changed in 1863 to Sonntag, Engelhorn & Clemm, Mannheim. This firm was converted on April 6th 1865 into the joint stock company *Badische Anilin- & Soda-Fabrik* with their headquarters at Mannheim and their works at Ludwigshafen/Rhine.
2. *Farbenfabriken vormals Friedrich Bayer & Co., Leverkusen*. Were originally an undertaking established in 1850 by Friedrich Bayer for the sale of natural dyes. Took up the manufacture of dyes in 1863. Joint stock company since June 11th 1881. Since 1912 headquarters and principal works at Leverkusen/Rhine.
3. *Farbwerke vormals Meister, Lucius & Brüning, Höchst-am-Main*. Founded as an aniline factory in 1863 by the chemists Dr. Eugen Lucius, Dr. Wilhelm Meister and the merchant L. A. Müller who was replaced in 1864 by Dr. A. Brüning. Since December 1879 joint stock company.





Chemical Works Griesheim, 1892

4. Actiengesellschaft für Anilinfabrikation (Agfa), Berlin.

5. Chemische Fabrik Griesheim-Elektron, Frankfurt-on-Main.

Was originally named Frankfurter Actiengesellschaft für landwirtschaftlich-chemische Fabrikate (Joint Stock Company of Frankfurt for the Production of Agricultural-Chemical-Products). On September 2nd 1863 the company was registered under the name of Chemische Fabrik Griesheim-on-Main. This firm and the Chemische Fabrik Griesheim-Elektron amalgamated on August 15th 1895. The new concern was named Chemische Fabrik Griesheim-Elektron and was enlarged in 1905 by the incorporation of K. Oehler Anilin- und Anilinfarbenfabrik, Offenbach-on-Main.

6. Chemische Fabriken vormals Weiler-ter Meer, Uerdingen/Rhine.

Originated from two separate undertakings i. e. Chemische Fabrik J. W. Weiler & Co., Köln-Ehrenfeld, founded in 1861 and Farbwerk Dr. E. ter Meer & Co., Uerdingen established in 1877.

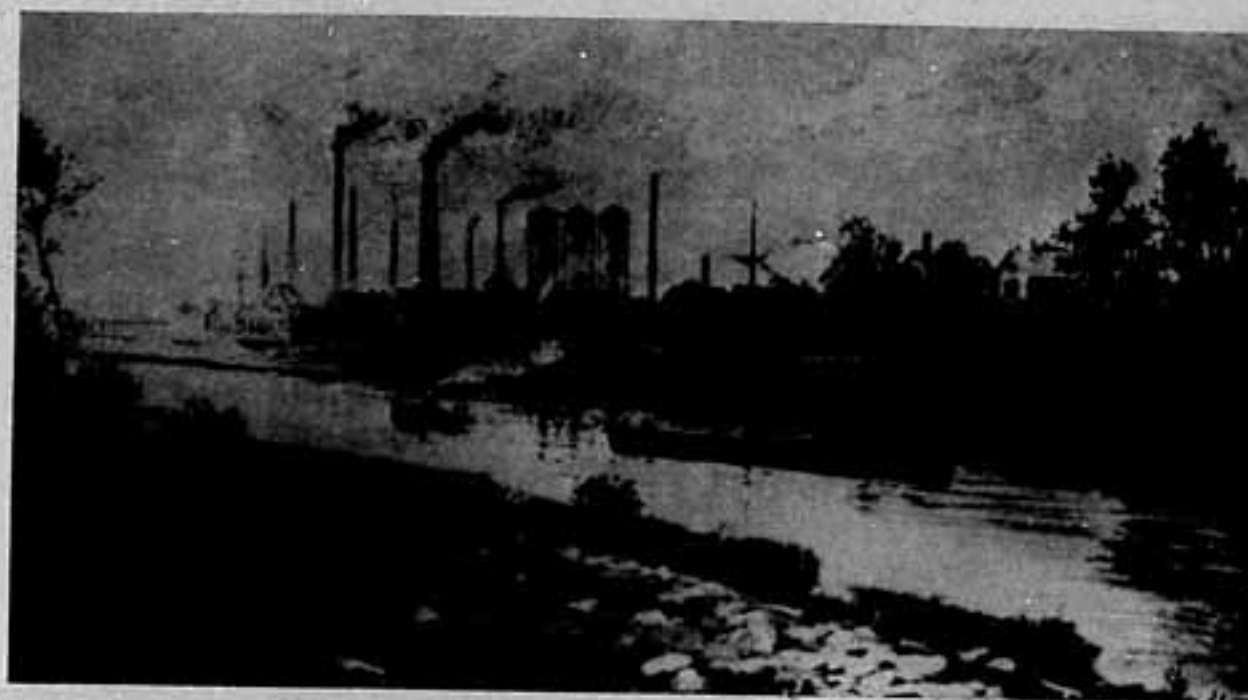
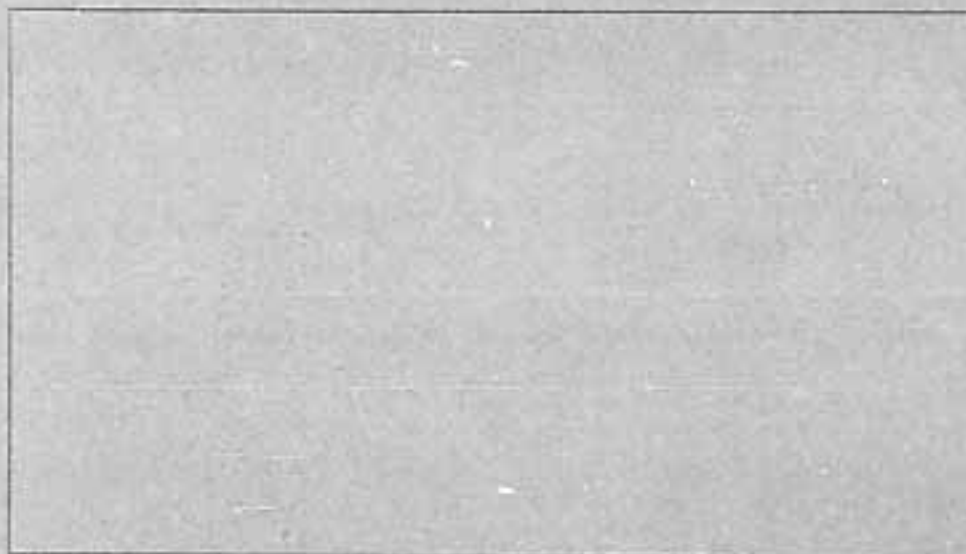
7. Leopold Casella & Co. G. m. b. H., Frankfurt-on-Main.

Founded in 1815 as importers of cochineal, indigo and other natural dyes. Works at Mainkur since 1870 for the manufacture of dyes.

8. Kalle & Co., Aktiengesellschaft, Biebrich.

Founded in 1863. Joint stock company since December 7th 1904.

Dyestuff Works,  
formerly Meister Lucius  
& Brüning,  
Höchst-on-Main, 1869



Chemische Fabrik Griesheim im Jahre 1892

4. Actiengesellschaft für Anilinfabrikation (Agfa), Berlin.

gegründet 1873.

5. Chemische Fabrik Griesheim-Elektron, Frankfurt am Main.

hervorgegangen aus der Frankfurter Actiengesellschaft für landwirtschaftlich-chemische Fabrikate, am 2. September 1863 als Chemische Fabrik Griesheim a. M. in das Handelsregister eingetragen, umgewandelt am 18. August 1898 durch Vereinigung mit der Chem. Fabrik Elektron zur Chemischen Fabrik Griesheim-Elektron, erweitert 1905 durch Übernahme der Firma K. Oehler Anilin- und Anilinfarbenfabrik, Offenbach am Main.

6. Chemische Fabriken vorm. Weiler-ter Meer, Uerdingen am Rhein.

hervorgegangen aus zwei ursprünglich selbständigen Unternehmen: Chemische Fabrik J. W. Weiler & Co., Köln-Ehrenfeld, gegründet 1861, Farbwerk Dr. E. ter Meer & Co., Uerdingen, gegründet 1877.

7. Leopold Cassella & Co. G. m. b. H., Frankfurt am Main.

gegründet 1815 als Importfirma von Cochenille, Indigo und anderen Naturfarbstoffen, Farbenfabrik (Anlagen zu Mainkur) seit 1870.

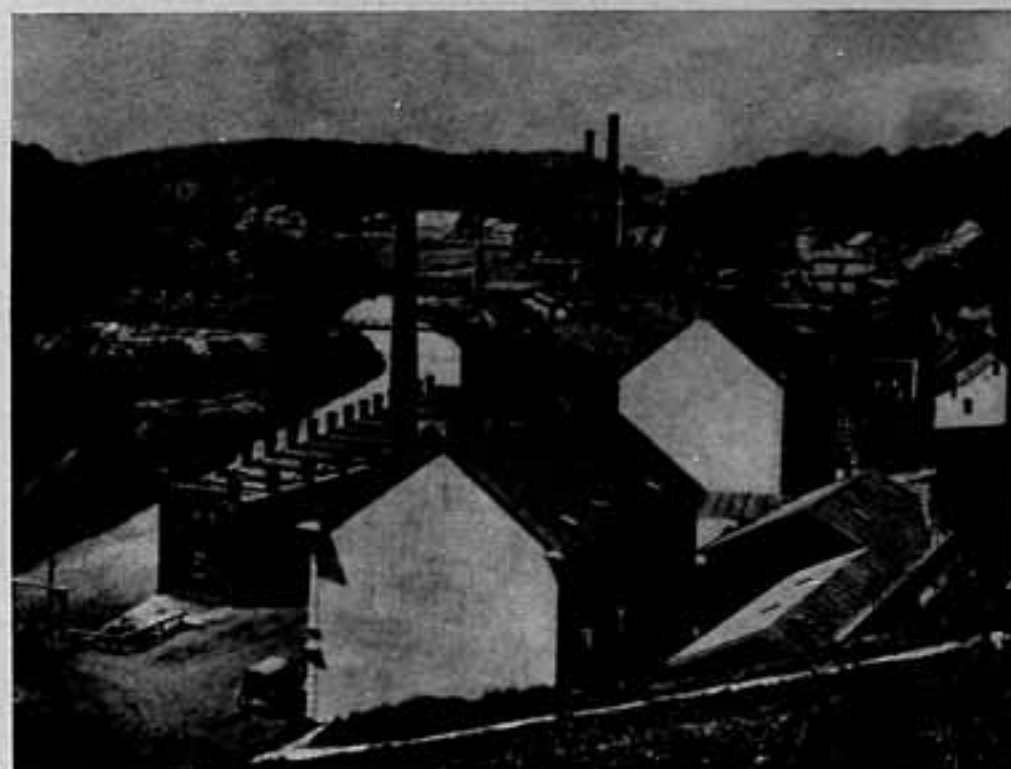
8. Kalle & Co. Aktiengesellschaft, Biebrich.

gegründet 1863, Aktiengesellschaft seit 7. Dezember 1904.



Farbwerke  
vorm. Meister Lucius  
& Brüning,  
Höchst am Main, 1869





Farbenfabriken vorm.  
Friedr. Bayer & Co.,  
Elberfeld, 1878

#### Daten aus der Entwicklungsgeschichte:

1926

Laut Fusionsvertrag vom 15. Juni 1926 wurde die *Farbwerke Mülheim vorm. A. Leonhardt & Co. A.-G.* in Mülheim am Main unter Ausschluß der Liquidation als Ganzes übernommen.

Im Laufe des Jahres 1926 wurden die unter „Verträge und Vereinbarungen auf wichtigen Produktionsgebieten“ ausführlich behandelten *Interessengemeinschaftsverträge* mit folgenden Unternehmen abgeschlossen:

*Dynamit-Actien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf;*

*Rheinisch-Westfälische Sprengstoff-A.-G., Köln;*

*Actiengesellschaft Siegener Dynamitfabrik, Köln;*

*Deutsche Celluloidfabrik, Eilenburg;*

*A. Riebeck'sche Montanwerke A.-G., Halle.*

Gemäß Generalversammlungsbeschluß der *Köln-Rottweil A.-G.* vom 1. September 1926 ging das Vermögen der *Köln-Rottweil A.-G.* unter Ausschluß der Liquidation mit Wirkung vom 1. Januar 1926 ab auf die I.G. über. Den Aktionären der *Köln-Rottweil A.-G.* wurde im Umtausch gegen den zweifachen Betrag von *Köln-Rottweil-Aktien* der einfache Betrag von I.G.-Aktien mit Dividendenberechtigung ab 1. Januar 1926 gewährt. Sämtliche im Tausch übernommenen Aktien der I.G. waren mit einem Bezugsrechte auf junge I.G.-Aktien (5:1 zu 150%) ausgestattet. Die 125.000 RM *Köln-Rottweil-Vorzugsaktien* erhielten den gleichen

Betrag *Vorzugsaktien* Lit. B der I.G. mit zehnfachem Stimmrecht.

Gleichzeitig wurde das Grundkapital der I.G.

von ..... RM 646.000.000.—  
durch Ausgabe von auf den Inhaber lautenden

*Stammaktien* ..... RM 258.400.000.—

*Vorzugsaktien Serie A* ..... RM 160.000.000.—

*Vorzugsaktien Serie B* ..... RM 35.600.000.—

erhöht auf ..... RM 1.100.000.000.—

Von den RM 258.400.000.— neuen Stammaktien waren: RM 136.696.000.— mit Dividendenberechtigung vom 1. Januar 1927 den I.G.-Aktionären und auf Grund der bestehenden Verträge den Aktionären der *Köln-Rottweil A.-G.*, Berlin, *Dynamit-A.-G.* vorm. Alfred Nobel & Co., Troisdorf, *Rheinisch-Westfälische Sprengstoff-A.-G.*, Köln, *Actiengesellschaft Siegener Dynamit-Fabrik*, Köln, zum Kurs von 150% angeboten worden.

Von den restlichen RM 121.703.400.— neuen Stammaktien waren RM 18.333.200.—, mit Dividendenberechtigung ab 1. Januar 1926 ausgestattet, zur Durchführung des mit der *Köln-Rottweil A.-G.* in Berlin abgeschlossenen Fusionsvertrages verwandt worden; ferner wurden vorgesehen: RM 23.550.000.— für die Durchführung des mit der *Dynamit-A.-G.* vorm. Alfred Nobel & Co. in Troisdorf und der *Rheinisch-Westfälischen Sprengstoff-Actiengesellschaft* in Köln abgeschlossenen *Interessengemeinschaftsvertrages*, RM 22.500.200.— für die Durchführung des mit A. Rie-

#### Some dates on the historical development:

1926

In pursuance of the amalgamation agreement Messrs. *Farbwerke Mülheim formerly A. Leonhardt & Co. A. G. at Mülheim-on-Main* were merged without being liquidated first.

In the course of the year 1926 agreements on the „community of interests“ which are dealt with in detail under the heading „Agreements and arrangements concerning important fields of production“ were contracted with the undernoted firms:

*Dynamit-Actien-Gesellschaft vormals Alfred Nobel & Co., Troisdorf;*

*Rheinisch-Westfälische Sprengstoff A.G., Köln.*

*Actiengesellschaft Siegener Dynamitfabrik, Köln;*

*Deutsche Celluloidfabrik, Eilenburg;*

*A. Riebeck'sche Montanwerke A.G., Halle.*

In pursuance of a resolution of the General Meeting of the *Köln-Rottweil A.G.* of September 1st 1926 the assets of this firm were taken over by I.G. dyes with effect from January 1st 1926. The shareholders of the *Köln-Rottweil A.G.* received against two shares of the *Köln-Rottweil A.G.* one share of I.G. Dyes. They were entitled to draw dividends with effect from January 1st 1926. The holders of the I.G. shares thus acquired were at liberty to avail of an preemption on new shares of I.G. Dyes (at a ratio of 5:1 and at a quotation of 150). The holders of the preference shares of the *Köln-Rottweil A.G.* which amounted to RM 125.000.— received preference shares series B of I.G. Dyes entitling to 10 votes per share.

Dyestuff Works  
formerly  
Friedr. Bayer & Co.,  
Elberfeld, 1878

At the same time the original capital of I.G. Dyes amounting to ..... RM 646.000.000.— was increased to 1.100.000.000.— RM by the issue of

ordinary stock

to the amount of ..... RM 258.400.000.—

preferred stock series A

to the amount of ..... RM 160.000.000.—

preferred stock series B

to the amount of ..... RM 35.600.000.—

RM 1.100.000.000.—

Out of the new common-stock of RM 258.400.000.— shares to the amount of RM 136.696.000.— entitling to draw dividends with effect from January 1st 1927 were offered at a quotation of 150 to the original shareholders of I.G. Dyes as well as to those of the *Köln-Rottweil A.G.*, Berlin, *Dynamit A.G.* vormals Alfred Nobel & Co., Troisdorf, *Rheinisch-Westfälische Sprengstoff A.G.*, Köln, *Actiengesellschaft Siegener Dynamit-Fabrik*, Köln, the offer to the latter shareholders being made in accordance with existing agreements.

RM 18.333.200.— out of the remaining new common stock to the amount of RM 121.703.400.— which entitled the holders to draw dividends from January 1st 1926 served to comply with the obligations laid down in the amalgamation agreement with the *Köln-Rottweil A.G.*, Berlin. Further the following amounts were to be provided for so as to fulfil the obligations arising out of the undernoted agreements concerning the „community of interests“: *Dynamit A.G.* vormals Alfred Nobel & Co., Troisdorf and *Rheinisch-Westfälische Sprengstoff-Actiengesellschaft*, Köln RM 23.550.000.— *A. Riebeck'sche Montanwerke A.G.*, Halle an der Saale „ 22.500.200.—



Ordinary stock to the amount of RM 10.000.000.— was exchanged for shares of the Rheinische Stahlwerke, Essen-Ruhr, RM 47.320.000.— were to be reserved for future transactions.

#### 1927

In 1927 I. G. Dyes entered into closer relations with the Norwegian nitrogen factory "Norsk Hydro-Elektrisk Kvaestofaktieselskab, Oslo" in order to ensure a cooperation in technical and commercial affairs.

The researches of I. G. Dyes in the field of hydrogenation of coal were completed in 1926 to such an extent that it was resolved to carry them on in industry itself so as to gain experiences in the manufacture of bulk supplies. For this purpose a plant was erected in the works at Merseburg and production started according to plan on April 1st 1927.

I. G. Dyes and the Standard Oil Co. of New-Jersey contracted an agreement providing for the refining of crude oil in the United States of North-America according to the I. G. process. This agreement was concluded in consideration of the fact that it was possible to refine with the help of the I. G. process also heavy crude oils and crude oil residues.

#### 1928

In the general-meeting of the company of January 14th 1928 the resolution was taken to issue Participating Convertible Debentures to the face value of RM 250.000.000.— With effect from January 1st 1928 the Debentures are entitled to an interest of 6% to be increased by a premium which depends on the dividends declared by I. G. Dyes. These Debentures are convertible into ordinary stock on basis of the relevant loan conditions.

The Debentures were offered to holders of ordinary stock in the ratio of 4 : 1 at a quotation of 100%. This preemption was granted also to the firms having an agreement concerning the "community of interests" with I. G. Dyes on basis of a ratio stipulated by contract.

In connection with the issue of these Participating Convertible Debentures the composition of the capital of I. G. Dyes was changed. In pursuance of a resolution taken at the extraordinary general meeting of January 14th 1928 preferred stock of series A entitling to a dividend of 6% was converted into ordinary stock whose holders were allowed to draw dividends as from January 1st 1928. The preferred stock so converted amounted to RM 60.000.000.—

Foreign holdings were ceded by I. G. Dyes to Internationale Gesellschaft für Chemische Unternehmungen A. G. (I. G.-Chemie), Basel. An agreement concerning the guaranteeing of the dividends was concluded with the I. G.-Chemie, Basel. Further details on this agreement are given under the heading "agreements concerning the community of interests and the guaranteeing of the payment of dividends."

In 1928 the business in dyes was yet subject to a heavy competition in many parts of the world. Therefore the opinion was growing considerably stronger that conditions in the dyes market resulting from the war and its aftermath could only be put on a healthy basis if production in the most important industrial countries was balanced.

This led already at the end of 1927 to concluding agreements with the French dyestuff industry.

For the same reason negotiations were taken up with the Swiss dyestuff industry which were successfully concluded in the beginning of 1929. At the same time the agreement with the French industry was expanded. This agreement did however not refer to the business in the United States.

In conjunction with an American group I. G. Dyes took up the manufacture of Titanium White in Germany in their works at Leverkusen.

#### 1929

The Colloid Chemical Department of the Merz-Werke (Gebr. Merz, Frankfurt a/Main-Rödelshelm) was incorporated as well as the sale of a novel ampoule

beck'sche Montanwerke A.-G. in Halle a. d. Saale geschlossenen Interessengemeinschaftsvertrages, RM 10.000.000.— zum Austausch gegen Aktien der Rhein. Stahlwerke in Essen-Ruhr sowie RM 47.320.000.— für etwaige weitere Transaktionen.

#### 1927

Im Jahre 1927 trat die I. G. in engere Beziehungen mit dem norwegischen Stickstoffunternehmen Norsk Hydro-Elektrisk Kvaestofaktieselskab, Oslo. Es handelte sich dabei um ein Zusammengehen auf technischem und kaufmännischem Gebiet.

Die Arbeiten der I. G. auf dem Gebiete der Kohlehydrierung waren im Jahre 1926 so weit gediehen, daß sie sich entschloß, die Versuche in einem großindustriellen Maßstabe weiterzuführen. Zu diesem Zwecke wurde auf den Merseburger Werken eine größere Anlage errichtet, die planmäßig am 1. April 1927 den Betrieb aufnahm.

Es kam zu einer Verständigung zwischen der I. G. und der Standard Oil Company of New Jersey über die Anwendung des I. G.-Verfahrens zur Verarbeitung von Rohöl in den Vereinigten Staaten von Nordamerika. Sie erfolgte vor allem auch im Hinblick auf die Möglichkeit, mittels des I. G.-Verfahrens schwere Rohöle und Rohölrückstände zu verarbeiten.

#### 1928

In der Generalversammlung der Gesellschaft vom 14. Januar 1928 wurde die Ausgabe von nom. RM 250.000.000.— Teilschuldverschreibungen beschlossen. Die Anleihe ist mit 6% zuzüglich eines von der I. G.-Dividende abhängigen Zuschlages ab 1. Januar 1928 verzinslich und mit dem Recht auf Umtausch gegen Aktien der I. G. zu den hierfür geltenden Anleihebedingungen ausgestattet. Den Inhabern der I. G.-Stammaktien wurde auf diese Anleihe ein Bezugsrecht im Verhältnis von 4:1 zu einem Bezugspreis von 100% angeboten. Dieses Bezugsrecht wurde den mit der I. G. durch Interessengemeinschaft verbundenen Firmen in dem vertraglich festgelegten Verhältnis eingeräumt.

Im Zusammenhang mit der Ausgabe dieser Teilschuldverschreibungen erfolgte eine Änderung in der Zusammensetzung des I. G.-Aktienkapitals. Auf Beschluß der außerordentlichen Generalversammlung vom 14. Januar 1928 wurde die Umwandlung von RM 60.000.000.— 6% Vorzugsaktien Serie A in Stammaktien vorgenommen. Die neuen Stammaktien waren ab 1. Januar 1928 dividendenberechtigt.

Ausländische Beteiligungen überließ die I. G. der Internationalen Gesellschaft für Chemische Unternehmungen A.-G. (I. G.-Chemie), Basel. Mit der I. G.-Chemie wurde ein Dividendengarantievertrag abgeschlossen, über den Näheres unter „Interessengemeinschafts- und Dividendengarantieverträge" ausgeführt ist.

Das Farbensgeschäft hatte im Jahre 1928 in verschiedenen Gebieten der Welt noch vielfach im Zeichen heftigen Konkurrenzkampfes gestanden. Daneben gewann jedoch die Erkenntnis sichtbar an Boden, daß die Verhältnisse auf dem Farbstoffmarkt, wie sie sich aus der Entwicklung der Kriegs- und Nachkriegszeit ergeben hatten, durch Herstellung eines stabileren Gleichgewichtszustandes zwischen den wichtigsten Erzeugungsländern einer Gesundung zugeführt werden könnten.

Aus dieser Einsicht war bereits gegen Ende des Jahres 1927 die Vereinbarung mit der französischen Farbenindustrie entstanden.

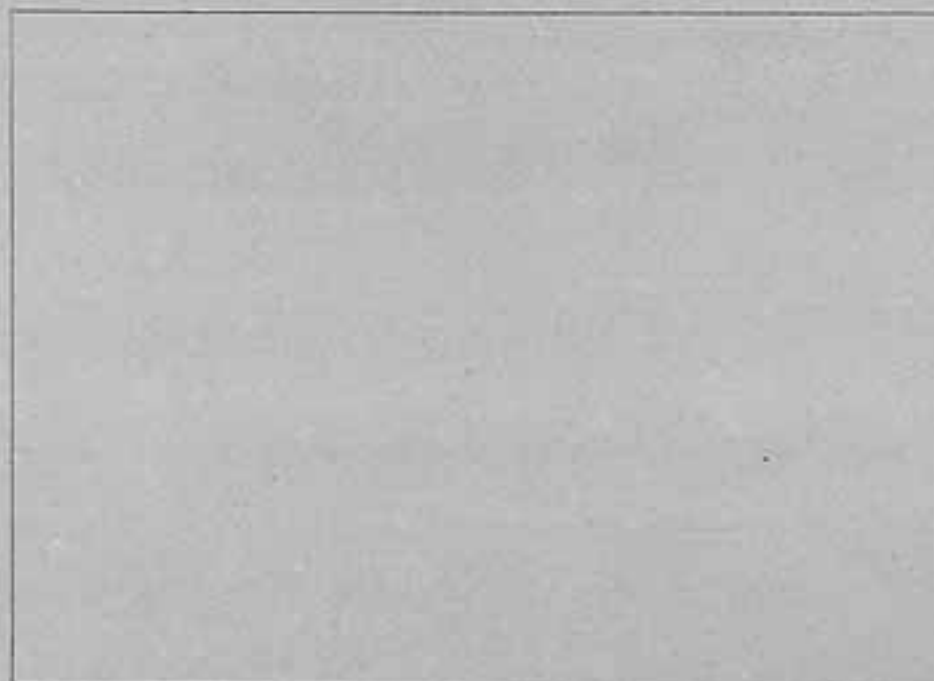
Im gleichen Sinne wurden während des Jahres 1928 Verhandlungen mit der Schweizer Farbenindustrie geführt, die Anfang 1929 zu einem abschließenden Ergebnis gelangten. Gleichzeitig damit wurde das Abkommen mit der französischen Industrie ausgebaut. Das Geschäft in den Vereinigten Staaten wurde von dem Abkommen nicht betroffen.

In Verbindung mit einer amerikanischen Gruppe nahm die I. G. in Deutschland (Werk Leverkusen) die Fabrikation von Titanweiß auf.

#### 1929

Die Colloid-Chemische Abteilung der Merz-Werke (Gebr. Merz, Frankfurt a. M.-Rödelshelm) sowie der

Kalle & Cie., Biebrich on the Rhine, in the nineties



Kalle & Co., Biebrich a. Rhein, in den 90er Jahren





Vertrieb einer neuartigen Ampulle für Anästhetika (Carpule) der *Carpule G. m. b. H., München*, wurden übernommen.

Die Ausdehnung des Sera-Geschäftes führte zur Übernahme der Aktienmehrheit der *Behring-Werke Aktiengesellschaft, Marburg a. d. Lahn*. In Verbindung mit dem Aktienwerb wurde ein Pachtvertrag geschlossen, der die Fortführung der Marburger Anlagen, die sich für die Serumherstellung besonders eignen, sicherstellte.

Mit der *Imperial Chemical Industries Ltd., London*, wurde ein Abkommen getroffen, das ein enges Zusammenarbeiten auf dem Stickstoffgebiet gewährleisten sollte.

Die im Jahre 1927 mit der *Standard Oil Co. of New Jersey* getroffene Vereinbarung wurde zu einer Zusammenarbeit auf dem gesamten Gebiet der Hydrierung von Öl, Kohle und Teer für die ganze Welt erweitert. Zu diesem Zweck wurde gemeinschaftlich die *Standard-I.G. Co.* gegründet und dieser die Verwertung des gesamten Patentbesitzes der I.G. auf dem Gebiete der Hydrierung auf der ganzen Welt mit Ausnahme von Deutschland übertragen. Auch die *Standard Oil* brachte die Patente, die sie auf diesem Gebiet besitzt, in die Gesellschaft ein. Die Verwertung ihrer Verfahren in Deutschland behielt sich die I.G. allein vor. Sie traf eine Sondervereinbarung über das von ihr hergestellte Benzin für den deutschen Markt, die die nationalen Interessen wahrt.

### 1930

Ab 1. Oktober 1930 bezogen die Farbenverkaufsgruppen von Ludwigshafen, Leverkusen, Frankfurt, Feuerbachstraße, und Höchst sowie der gesamte Chemikalienverkauf das neue Verwaltungsgebäude in *Frankfurt a. M., Grüneburgplatz*. Damit hatten die Zentrale des Farbenverkaufs, die Zentrale des Chemikalienverkaufs sowie einige allgemeine Abteilungen wie Zentralbuchhaltung, Zentralsteuerabteilung u. a. ihren Sitz in dem neuen Verwaltungsgebäude.

Im Farbengebiet kam es zu Besprechungen mit weiteren ausländischen Erzeugern über den fernöstlichen Markt, wodurch eine Besserung der Konkurrenzverhältnisse erreicht wurde. Die italienische *Aziende Chimiche Nazionali Associate*, die sogenannte *ACNA*, brach gegen Ende des Jahres 1930 zusammen. Sie wurde liquidiert und die I.G. gründete gemeinsam mit dem *Montecatini-Konzern* Anfang 1931 eine neue „*ACNA*“ (*Aziende Colori Nazionali Affini*), die die Farben- und Chemikalien-Betriebe der alten Gesellschaft weiterführte.

Im Wege freundschaftlichen Einverständnisses schieden die Vereinigten Glanzstoff-Fabriken A.-G., Wuppertal-Elberfeld, aus der „*Aceta*“ G. m. b. H., *Lichtenberg*, aus. Die I. G. übernahm die Anteile und wurde alleinige Inhaberin des Unternehmens. Der Verkauf der *Aceta*-Produkte erfolgt durch die I. G.

Die durch die schlechte Lage der Landwirtschaft in der ganzen Welt einerseits und die übermäßige Eigenproduktion einzelner europäischer Nachbarländer andererseits hervorgerufene Absatzkrise im Stickstoff führte zu internationalen Verhandlungen. Anfang August 1930 wurde zwischen den ausländischen Erzeugern, der chilenischen Salpeterindustrie und der deutsch-englisch-norwegischen Gruppe eine *Convention de l'Industrie de l'Azote (CIA)* abgeschlossen, die mehr als 98% der europäischen und ca. 80% der Welt-Produktionskapazität umfaßte. Die Konvention lief nur ein Jahr und wurde 1931 nicht verlängert.

Die gemeinsam mit der *Standard Oil Co. of New Jersey* gegründete *Standard-I.G. Co.* übertrug ihren Patentbesitz in den Vereinigten Staaten von Nordamerika zwecks Verwertung in USA. auf die „*Hydro Patents Co.*“. Dieser Gesellschaft hat sich der überwiegende Teil der Ölindustrie in den Vereinigten Staaten durch Übernahme von Aktien angeschlossen. Gleichzeitig wurde eine zweite Gesellschaft, die „*Hydro Engineering & Chemical Co.*“, gegründet, um die einzelnen Lizenznehmer in technischer Hinsicht zu beraten.

### 1931

Eine wesentliche Änderung in der Höhe des dividendenberechtigten Aktienkapitals war schon 1930 eingetreten. Die ungünstigen wirtschaftlichen Verhältnisse in Deutschland und die rückläufige Entwicklung der Weltbörsen hatten außergewöhnliche Kurseinbrüche an den Aktienmärkten zur Folge, unter denen auch die I.G.-Aktien zu leiden hatten. Die I.G. hatte infolgedessen die Versuche der Banken, dieser Bewegung entgegenzuwirken, im Interesse ihrer Aktionäre unterstützt. Außer den aus dieser Veranlassung von der I.G. übernommenen Aktien wurden weiter größere Beträge von solchen Besitzern erworben, die den Wunsch hatten, den Gegenwert in Aktien der Internationalen Gesellschaft für Chemische Unternehmungen A.-G. (I.G. Chemie), Basel, anzulegen. Am 31. Dezember 1930 befanden sich RM 49916800.— eigene Stammaktien im Besitze der I.G. Anfang 1931 hatte die I.G. von den Rheinischen Stahlwerken Essen-Ruhr nom. RM 24714000.— I.G.-Aktien übernommen, und zwar gegen nom. RM 41190000.— der A. Riebeck'schen Montanwerke Aktiengesellschaft, Halle a. d. S. Dieser Tausch wurde auf Grund des bekannten Umtauschverhältnisses von 6:10 vorgenommen. Im Laufe des Jahres 1931 kamen noch weitere Erwerbungen in Höhe von Reichsmark 39717000.— hinzu, so daß sich am 31. Dezember 1931 RM 114347800.— eigene Stammaktien im Besitze der I.G. befanden. Die Generalversammlung der I.G. vom 10. Mai 1932 beschloß, von diesen eigenen Aktien auf Grund der Notverordnung über die erleichterte Kapitalherabsetzung vom 6. Oktober 1931 Reichsmark 110000000.— mit Wirkung per 31. Dezember 1931 einzuziehen und damit das Stammaktienkapital von RM 960000000.— auf RM 850000000.— herabzusetzen. Das Aktienkapital der I.G. per 31. Dezember 1931 betrug damit RM 990000000.— und bestand aus RM 850000000.— Stammaktien, RM 100000000.— Vorzugsaktien Serie A und RM 40000000.— Vorzugsaktien Serie B.

Die Verhandlungen zwischen den wichtigsten deutschen, holländischen, italienischen und schweizerischen Herstellern von *Viskose-Kunstseide* zwecks Bildung eines Verkaufssyndikats für den deutschen Markt wurden zu Ende geführt. Die Dauer des neu gegründeten Syndikats wurde auf zehn Jahre festgesetzt.

Der Verkauf der von den Vertragspartnern hergestellten *Viskose-Kunstseide* in und nach Deutschland erfolgte ab 1. Oktober ausschließlich durch die „*Kunstseide-Verkaufs-Büro G. m. b. H., Berlin*“. Gleichzeitig bildete sich das „*Kupferkunstseide-Syndikat*“ zwischen den Firmen J. P. Bemberg A.-G., Wuppertal-Barmen, I.G. Farbenindustrie Aktiengesellschaft und Fr. Küttner A.-G., Pirna, dessen Geltungsbereich über den deutschen Markt hinausgeht.

Die *Dynamit-Aktien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf*, übernahm im Interesse einer Vereinfachung und Verbilligung der Verwaltung durch Fusion mit Wirkung ab 1. Januar 1931 folgende Gesellschaften:

for the hypodermic administration of anaesthetics (Carpule) of the „*Carpule G. m. b. H., Munich*“ was taken up.

The expansion of the Sera business led to the acquiring of the majority of the shares of the „*Behring-Werke A. G., Marburg-Lahn*“. In conjunction with the acquisition of the shares a lease was contracted which ensured that the works would carry on as they were specially suited for the production of Sera.

An agreement was concluded with *Imperial Chemical Industries Ltd., London*, which ensured a close co-operation in the field of the manufacture of nitrogen.

The agreement concluded in 1927 with the *Standard Oil Co. of New Jersey* was expanded so as to result in a world wide cooperation as far as the hydrogenation of coal, tar and oil was concerned. For this purpose the *Standard-I. G. Co.* was jointly established which was to exploit all the world over with the exception of Germany the I. G. patents for hydrogenation. Also the *Standard Oil Co.* transferred their relevant patents with the exception of those referring to Germany to the new company. The I. G. reserve the right to exploit their patents in Germany. A special agreement was made by the I. G. regarding the petrol produced for German consumption which was to safeguard international interests.

### 1930

On October 1st 1930 the departments for the sale of dyestuffs at Ludwigshafen, Frankfurt, Leverkusen and Höchst as well as all the departments for the sale of chemicals were shifted to the new administration building at *Frankfurt on Main, Grüneburgplatz*. Thus the headquarters of the sale of dyestuffs and chemicals as well as some general departments as for example the central bookkeeping department and the tax department were established at the new administration building.

As to dyestuffs sales market conditions in the Far East were discussed with foreign manufacturers, thus relieving the heavy competition ruling in those markets. Towards the end of 1930 the Italian concern *Aziende Chimiche Nazionali Associate*, the so called *ACNA* went insolvent. The firm was liquidated and in the beginning of 1931 the I. G. established together with the *Montecatini* concern a new *ACNA (Aziende Colori Nazionali Affini)* which continued production of dyestuffs and chemicals in the works of the old company.

By a friendly understanding the Vereinigte Glanzstoff-Fabriken A. G., Wuppertal-Elberfeld ceased to be members of the „*Aceta G. m. b. H., Lichtenberg*“. I. G. Dyes took over the shares and became sole proprietors. The *Aceta* products were sold by I. G. Dyes.

The emergency conditions facing agriculture in the whole world and production exceeding the demand on the part of individual countries resulted in a sales crisis of nitrogen which led to international negotiations. In August 1930 an agreement was arrived at between foreign producers, the Salpêtre industry of Chile as well as the German, Norwegian and English group which was called *Convention de l'Industrie de l'Azote (CIA)*. The agreement comprised more than 98% of the European production capacity and about 80% of the production capacity of the whole world.

This agreement was in force for one year only and was not prolonged in 1931.

The *Standard-I. G. Company* founded jointly by the I. G. and the *Standard Oil Company of New Jersey* transferred their patents to the „*Hydro Patents Co.*“ so as to exploit them in the U. S. A. The greater part of U. S.-Oil Industry joined this company by acquiring their shares. At the same time a second company, the „*Hydro Engineering and Chemical Co.*“ was established in order to give technical advice to the individual licence holders.

### 1931

Already in 1930 there was an important change as to the amount of the share capital entitling to dividends. The unfavourable economic conditions in Germany and the slump at the stock exchanges of the world resulted in a rapid fall of share prices which affected also the shares of the I. G. Consequently I. G. Dyes had supported the endeavours of the banks to counteract this development. Apart from the shares bought for this reason by I. G. Dyes a considerable number of further shares was acquired from those holders who wished to invest the returns in shares of the „*Internationale Gesellschaft für Chem. Unternehmungen (I. G. Chemie)*, Basel. On December 31st 1930 I. G. Dyes held ordinary stock of their own to the amount of RM 49,916,800.—. In the beginning of 1931 I. G. Dyes acquired from the „*Rheinische Stahlwerke-Essen-Ruhr*“ I. G. stock to the face value of RM 24,714,000.— by giving shares to the face value of RM 41,190,000.— of the A. Riebeck'sche Montanwerke A. G., Halle/Saale in exchange. This deal was concluded on basis of the known ratio 6:10. In the course of 1931 further acquisitions amounting to RM 39,717,000.— were made so that on December 31st 1931 ordinary stock of their own to the amount of RM 114,347,800.— was held by I. G. Dyes. On May 10th 1932 the general meeting resolved in pursuance of the emergency decree (Notverordnung) of October 6th 1931 facilitating the decrease of capital to call in with effect from December 31st 1931 ordinary stock to the amount of RM 110,000,000.— thus lowering the total of ordinary stock from RM 960,000,000.— to RM 850,000,000.—. Therefore the capital of the I. G. amounted on December 31st 1931 to RM 990,000,000.— and consisted of RM 850,000,000.— ordinary stock, RM 100,000,000.— preferred stock Series A and RM 40,000,000.— preferred stock Series B.

The negotiations between the most important German, Dutch, Italian and Swiss manufactures for the purpose of establishing a sales syndicate for *Viscose Rayon* were successfully concluded. The newly founded syndicate was to remain in existence for ten years.

Exclusively the *Kunstseide Verkaufsbüro, Berlin*, was to sell in Germany all rayon produced by the parties to the agreement in Germany or imported into Germany. At the same time a syndicate for the sale of *cuprammonium rayon* was established by J. P. Bemberg A. G., Wuppertal-Barmen, I. G. Farbenindustrie A. G. and Fr. Küttner A. G., Pirna/Sachsen. The provisions of this syndicate do not refer only to the German market.

The undernoted firms were incorporated with effect from January 1st 1931 in the *Dynamit-Aktiengesellschaft vormals Alfred Nobel & Co., Troisdorf* so as to simplify the administration and to economize:



*Rheinisch-Westfälische Sprengstoff-Actien-Gesellschaft,  
Actien-Gesellschaft Siegener Dynamit-Fabrik,  
Deutsche Sprengstoff-Actien-Gesellschaft,  
Rheinische Dynamitfabrik,  
Westdeutsche Sprengstoffwerke Actien-Gesellschaft.*

For this purpose the Dynamit-Actien-Gesellschaft vormals Alfred Nobel & Co., Troisdorf, increased their ordinary share capital from RM 37.500.000.— to RM 47.000.000.—. The total of preference shares amounting to RM 125.000.— was not subject to any alteration.

### 1932

In February 1932 the Imperial Chemical Industries Ltd. joined the important foreign producers who closely cooperated with I.G. Dyes since several years.

In the beginning of the season 1931/32 for fertilizers the European manufacturers arrived at an understanding which contributed to the relieving of market conditions. Producers of nitrogen in Switzerland and Sweden became also partners to the renewed contract.

So as to avoid dismissals working hours of workmen and employees were generally reduced to 40 hours weekly in all works and departments. At the end of 1932 about 95% of workmen and employees worked less than 48 hours per week their working time being generally limited to 5 days weekly. Thus the company succeeded in keeping on 10.000 members of their staff.

### 1933

The reorganization of political, social, and economic life resulted in the German economies arriving at their turning point and a revival of the German market. The efforts of the Government to reduce unemployment were supported by suitable measures to provide work. Employment could be found in mines and the hydrogenation plants. Old plants were modernized, replacements provided for, repairs carried out, and new houses for workers built. The efficacy of these measures is proved by the fact that the staff of all I.G. works increased by 16.405 workmen and employees which figure corresponds to an increase of 35% and 10% respectively when comparing it with the number of the persons employed at the time of the lowest depression.

The agreement concluded in the summer of 1932 with European producers of nitrogen was prolonged by 1 year in 1933.

Towards the end of the year the hydrogenation plant at Leuna was expanded.

### 1934

The revival of German economies left its marks also in the works of I.G. Dyes with their manifold production and led to a considerable increase of the sales in the home market. New problems were to be solved with a view to provide indigenous raw materials for the home market. Thus new tasks were to be tackled the solution of which was facilitated by preparatory work which was going on since years and required a considerable expenditure. In order to support the Government in the efforts to provide work working time remained limited to 40 hours weekly. In 1934 I.G. Dyes succeeded in increasing their staff again by 16.662 persons inclusive of those who were engaged for their mines. The considerable capital

investments made by I.G. Dyes provided additional employment also for members of other firms; these figures have however not been taken into consideration.

In the interest of the staff to premium to be paid yearly was increased from RM 4.900.000.— to RM 9.200.000.—. Only those members of the staff benefited by this increase who drew a yearly salary upto RM 3.600.—.

In the beginning of 1934 all German outsiders joined the Nitrogen Syndicate. At the same time prices for nitrogen fertilizers were reduced by about 7%.

In the middle of 1934 an agreement between the nitrogen industry of Chile and that of Europe was signed.

Out of the issue of new shares which took place in 1926 ordinary stock to the amount of RM 160.652.200.— and preferred stock series A to the amount of RM 100.000.000.— were not issued but deposited with the Deutsche Länder-Bank A.G. and the Deutsche Bank und Diskonto-Gesellschaft so as to be in a position to comply with the exchange obligations arising out of the agreements concerning the «community of interest» which were concluded with the

*Dynamit-Actien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf,*

*A. Riebeck'sche Montanwerke Actien-Gesellschaft, Halle (Saale),*

*Gustav Genschow & Co., Actien-Gesellschaft, Berlin,*

and the issue of the participating convertible Debentures. After the 5th ordinance concerning the carrying into effect the orders of March 14th 1934 facilitating a decrease of capital offered the possibility to replace these reserved shares by a conditional increase of capital the general meeting of April 25th 1934 resolved to decrease the original capital amounting at that time to RM 990.000.000.— by calling in ordinary shares held by I.G. Dyes and reserved shares to the amount of RM 130.000.000.— as well as preference reserved shares series A to the amount of RM 60.000.000.—. Thus the original capital was decreased by RM 190.000.000.—. At the same time the original capital was conditionally increased by RM 176.868.600.—. This increase was to take place only as far as requests for an exchange of shares were to be complied with.

### 1935

During 1935 every effort was made by Germany to shift her economic structure so as to satisfy her needs as far as possible by her own production and to foster exports in order to ensure the import of foreign raw materials.

In consideration of this development the task of the chemical industry to expand the own basis of raw materials by finding new substitutes and by processing existing raw materials gained considerable importance. I.G. Dyes benefitted by their preliminary researches already carried out in some fields at a considerable expenditure so that new production schedules could be brought into effect rather quickly.

In view of the business results it was possible to pay also for the year 1935 a premium of RM 10.436.000.—.

In the beginning of September 1935 after lengthy negotiations partly amended agreements with European and Chilean nitrogen manufacturers were renewed for a period of 2 and 3 years respectively.

*Rheinisch-Westfälische Sprengstoff-Actien-Gesellschaft,  
Actien-Gesellschaft Siegener Dynamit-Fabrik,  
Deutsche Sprengstoff-Actien-Gesellschaft,  
Rheinische Dynamitfabrik,  
Westdeutsche Sprengstoffwerke Actien-Gesellschaft.*

Aus diesem Anlaß erhöhte die Dynamit-Actien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf, ihr Stammkapital von RM 37.500.000.— auf Reichsmark 47.000.000.—. Das Vorzugsaktienkapital blieb in alter Höhe von RM 125.000.— bestehen.

### 1932

Den bedeutenden ausländischen Erzeugern, mit denen die I.G. seit mehreren Jahren auf dem Farbstoffgebiet in enger Zusammenarbeit steht, ist im Februar 1932 die Imperial Chemical Industries Ltd. beigetreten.

Zwischen den europäischen Stickstoffherstellern kam zu Beginn des Düngejahres 1931/32 eine neue Verständigung zustande, die zur Besserung der Marktverhältnisse beitrug. Den erneuerten Abmachungen traten auch die Stickstoffhersteller der Schweiz und Schwedens bei.

Zur Vermeidung von Entlassungen wurde in allen Werken und Abteilungen die Arbeitszeit der Arbeiter und Angestellten im wesentlichen auf 40 Stunden pro Woche herabgesetzt. Ende 1932 arbeiteten etwa 95% der Belegschaft verkürzt, vorwiegend in Gestalt der Fünf-Tage-Woche. Dadurch gelang es, etwa 10.000 Belegschaftsmitglieder in Arbeit zu halten.

### 1933

Die Neugestaltung des politischen, sozialen und wirtschaftlichen Lebens führte zu einer entscheidenden Wendung der deutschen Wirtschaftslage und zu einer wesentlichen Belebung des deutschen Marktes. Die Maßnahmen der Regierung zur Minderung der Arbeitslosigkeit wurden durch weitgehende Arbeitsbeschaffungsmaßnahmen unterstützt. Neue Arbeitsmöglichkeiten wurden im Bergbau und in der Hydrierung, ferner durch Modernisierung alter Anlagen, durch Vornahme von Ersatzbeschaffungen und Reparaturen und durch verstärkte Tätigkeit auf dem Gebiete der Arbeitersiedlung geschaffen. Die Wirksamkeit dieser Maßnahmen kam am besten in der Vermehrung der Gefolgschaft aller Werke der I.G. um 16.495 Arbeiter und Angestellte zum Ausdruck, was einer Zunahme von 35% bzw. 10% gegenüber dem Tiefstand entsprach.

Die im Sommer 1932 abgeschlossenen Abkommen mit den europäischen Erzeugern von synthetischem Stickstoff wurden 1933 um ein Jahr verlängert.

Gegen Ende des Jahres wurde mit dem Ausbau der Hydrierungsanlage in Leuna begonnen.

### 1934

Die Belebung der deutschen Wirtschaft wirkte sich in den Werken der I.G. und ihrer vielseitigen Produktion in einer Steigerung des Inlandabsatzes aus. Besonders zeigte sich das auf den neuen Arbeitsgebieten, die eine Stärkung der einheimischen Rohstoffversorgung zum Ziele hatten. Hier erwuchsen neue Aufgaben, denen die jahrelangen, unter Aufwendung erheblicher Mittel geleisteten Vorarbeiten zugute kamen.

Zur Unterstützung der Maßnahmen der Reichsregierung auf dem Arbeitsmarkt wurde auch weiterhin an der verkürzten Arbeitszeit festgehalten. Die I.G. konnte im Jahre 1934 einschließlich ihrer Grubenbetriebe ihre Gefolgschaft wiederum um 16.662 Ar-

beiter und Angestellte vermehren. Nicht eingerechnet sind dabei die zusätzlichen Arbeitsmöglichkeiten bei fremden Lieferindustrien, die sich aus den durchgeführten Großinvestitionen ergaben.

Im Interesse der Gefolgschaft wurde der Betrag der jährlich auszuschüttenden Prämie von RM 4.9 Mill. auf RM 9.2 Mill. erhöht; die Erhöhung kam ausschließlich den Gefolgschaftsmitgliedern mit einem Jahreseinkommen bis zu RM 3600.— zugute.

Anfang 1934 traten sämtliche inländischen Außen-seiter dem Stickstoffsyndikat bei; gleichzeitig wurden die Stickstoffdüngemittel-Preise durchschnittlich um etwa 7% gesenkt.

Mitte 1934 erfolgte die Unterzeichnung eines bis Mitte 1935 gültigen Abkommens zwischen der europäischen und der chilenischen Stickstoffindustrie.

Aus der Kapitalerhöhung der I.G. von 1926 wurden von der Deutschen Bank und Disconto-Gesellschaft und der Deutschen Länderbank A.-G. noch für Rechnung der I.G. Vorratsstammaktien in Höhe von RM 160.652.200.— und Vorratsvorzugsaktien Serie A in Höhe von RM 100.000.000.— gehalten, die im wesentlichen für die Umtauschverpflichtungen aus den Interessengemeinschaftsverträgen mit der

*Dynamit-Actien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf,*

*A. Riebeck'sche Montanwerke Aktiengesellschaft, Halle (Saale),*

*Gustav Genschow & Co. Aktiengesellschaft, Berlin,*

und aus den Teilschuldverschreibungen vom Jahre 1928 bestimmt waren. Nachdem die Achte Verordnung zur Durchführung der Vorschriften über die Kapitalherabsetzung in erleichterter Form vom 14. März 1934 die Möglichkeit eröffnete, diese Vorratsaktien durch eine bedingte Kapitalerhöhung zu ersetzen, wurde in der Generalversammlung vom 28. April 1934 beschlossen, das Grundkapital von bisher Reichsmark 990.000.000.— durch Einziehung von RM 130.000.000.— eigener Stammaktien und Vorratsstammaktien sowie von RM 60.000.000.— Vorratsvorzugsaktien Serie A um RM 190.000.000.— herabzusetzen. Gleichzeitig wurde das Grundkapital der Gesellschaft um RM 176.868.600.— bedingt erhöht. Die Erhöhung soll erst in dem Zeitpunkt und nur insoweit zur Durchführung gelangen, als von den Umtauschrechten Gebrauch gemacht wird.

### 1935

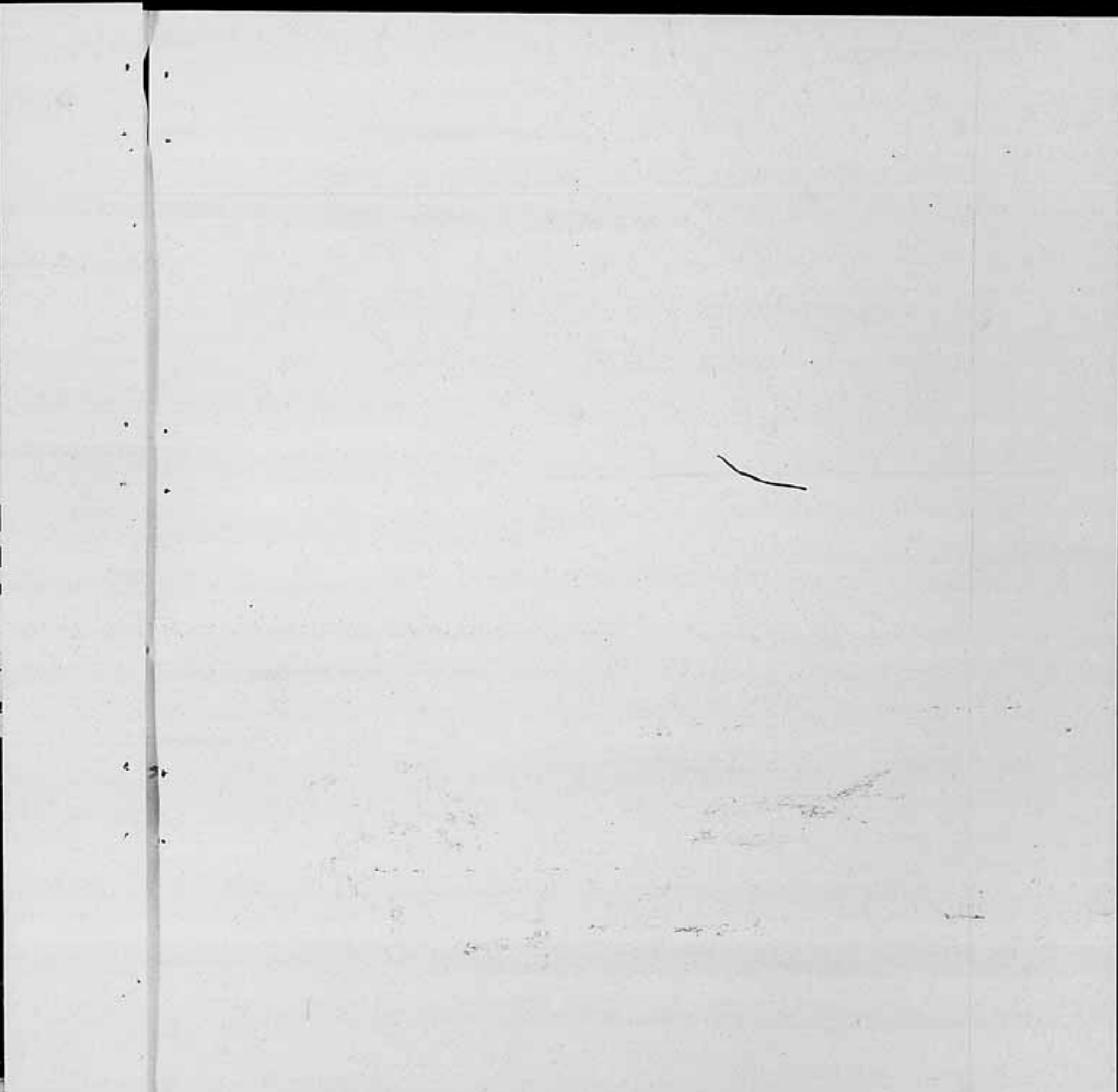
Das Jahr 1935 stand unter dem Zeichen der fortschreitenden Umstellung der deutschen Binnenwirtschaft auf eine ausreichende Eigenversorgung und der gleichzeitigen Förderung des Außenhandels zur Sicherstellung der ausländischen Rohstoffbezüge.

Im Zuge dieser Entwicklung gewann die Aufgabe der chemischen Industrie, auf dem Wege der Stoffumwandlung und Veredelung die natürliche Rohstoffbasis zu verbreitern, eine besondere Bedeutung. Sie stellte an das Unternehmen außergewöhnliche technische, organisatorische und finanzielle Anforderungen. Die in früheren Jahren auf den verschiedenen Arbeitsgebieten unter Aufwendung erheblicher Mittel geleisteten Vorarbeiten kamen der I.G. dabei zugute, so daß die neuen Produktionsprogramme verhältnismäßig schnell durchgeführt werden konnten.

Angesichts des Geschäftsergebnisses war es möglich, auch für 1935 wieder eine Jahresprämie von RM 10.436.000.— auszuschütten.

Die Abkommen mit den europäischen und den chilenischen Stickstoffherstellern wurden nach längeren







## 1936

The year 1936 made great demands upon the technical, financial and scientific resources of I.G. Dyes. Existing fields of production were to be expanded and new fields to be developed so as to ensure the provision of raw materials for Germany. At the same time special efforts were made to foster exports.

In accordance with the demand not only the production of important heavy chemicals but also the manufacture of products recently taken up as for example artificial substitutes, metals, tanning agents and the synthetic rubber "Buna" was to be expanded.

The untiring and successful cooperation of the staff was also acknowledged in 1936 by paying a premium of RM 11.700.000.—.

## 1937

Also in 1937 every endeavour was made to cooperate systematically so as to comply with the directions of the "Four Years Plan" and to increase exports. Great demands ensued concerning researches, organisation, finance and the planning of the construction of new plants respectively the expansion of existing ones.

In order to increase the application of nitrogenous fertilizers to the greatest possible extent the competent authorities ordered on March 23<sup>rd</sup> 1937 an extraordinary reduction of the prices by 30% with retrospective effect as from January 1<sup>st</sup> 1937. Refunds resulting from the retrospective lowering of the prices were to be paid by supplying nitrogenous fertilizers.

In compliance with the endeavours of the Government to reduce prices generally rates for photographic supplies and a number of pharmaceutical specialities were lowered and the domestic prices for Viscose- as well as Aceta-Rayon and Vistra-Fibre were reduced.

The premium paid for the business year 1937 increased from RM 11.700.000.— declared in 1936 to RM 13.500.000.—.

So as to comply with the attempts of the economic Advisers to the Government to simplify the organisation of the German industry a number of subsidiary concerns were incorporated in accordance with the respective legislature thus rendering the organisation of I.G. Dyes more clearly and more distinctly.

On account of these incorporations the capital of the undernoted firms ceased to be shown in the account "bond and stock holdings in affiliated and other companies":

Leopold Casella & Co., G. m. b. H., Frankfurt-on-Main	RM 60.880.000.—
Gewerkschaft Auguste Viktoria, Recklinghausen/Hüls i. W.	18.550.000.—
Chemische Werke Lothringen G. m. b. H., Bochum	6.000.000.—
Gewerkschaft Elise II, Halle/Saale	5.000.000.—
Zuckerfabrik Körbisdorf, Aktiengesellschaft, Körbisdorf/Halle/Saale)	2.700.000.—

Grube Auguste bei Bitterfeld A. G., Bitterfeld	RM 2.400.000.—
Aceta G. m. b. H., Berlin	2.000.000.—
Deutsch-Koloniale Gerb- & Farbstoff-Gesellschaft m. b. H., Karlsruhe/Rheinhausen	1.200.000.—
Elektrochemische Werke G. m. b. H., Frankfurt-on-Main	1.200.000.—

Further 9 other small companies were involved whose business affairs were mainly limited to the management of their landed property.

## 1938

The constitution of Greater Germany multiplied the tasks of I.G. Dyes especially those to be dealt with in connection with the "four years plan" and an increase of exports.

Apart from the developments which took place in the old fields of activities the manufacture of important new products as for example fuel- and lubricating-oil, synthetic rubber, spinning fibre, light metals as well as a great number of new materials was taken up, so that the technical and chemical researches of I.G. Dyes never came to a standstill. By fully availing of the opportunities offered by recent chemical and technical developments new products will doubtless enrich world production also in future thus supplementing natural raw materials without competing with them.

Financial resources were rather strained in view of the expansion of plants and the increase in the stock holdings in other companies.

Domestic sales continued to increase as the result of the reconstruction of German economy. A favourable development can be forecast also for the future.

Favourable conditions having prevailed in world markets for five years markets in a number of important countries as for example the U.S.A. and Great Britain showed certain repercussions which could also not be overcome by an increased expenditure for rearmament. In many other parts of the world encroachments on the part of the individual governments with a view to control the economic life, endeavours to depend less on the fluctuations of the world market as well as wars especially that raging in the Far East rendered world trade more difficult. This development which was already mentioned in last year's report and which has to be taken into account also in future found since years the attention of I.G. Dyes which prepared their undertakings accordingly. By expanding sales organisations, introducing new products for export, careful financing and a suitable stockkeeping the inevitable decrease of exports could be made good to some extent so that exports showed only a slight downward trend. Longstanding as well as newly concluded agreements contracted by I.G. Dyes with foreign manufacturers served to overcome export difficulties in foreign countries arising from political reasons thus proving their importance for the maintenance of world trade.

Verhandlungen Anfang September 1935 für die Dauer von zwei evtl. drei Jahren in zum Teil abgeänderter Form erneuert.

## 1936

Das Jahr 1936 stellte an das Unternehmen für den Ausbau der bestehenden und die weitere Entwicklung neuer Arbeitsgebiete, die insbesondere die Sicherung der deutschen Rohstoffversorgung betreffen, wieder außergewöhnliche Anforderungen auf wissenschaftlichem, technischem und finanziellem Gebiet. Gleichzeitig wurden der Förderung des Exports ganz besondere Anstrengungen gewidmet.

Dem Bedarf entsprechend mußte die Produktion in wichtigen Großchemikalien, aber auch auf den in jüngerer Zeit in Angriff genommenen Arbeitsgebieten der Kunststoffe, Metalle, Gerbstoffe und des synthetischen Kautschuks Buna erweitert werden.

Die unermüdete und erfolgreiche Zusammenarbeit der Gefolgschaft wurde auch für das Jahr 1936 durch eine Jahresprämie anerkannt, die RM 11.7 Mill. betrug.

## 1937

Der Rückblick auf das Geschäftsjahr 1937 läßt sich dahin zusammenfassen, daß auch dieses Jahr die I.G. im Zeichen einsatzbereiter, planvoller Weiterarbeit im Sinne des Vierjahresplans und der verstärkten Ausfuhrbemühungen sah. Hierdurch ergaben sich abermals gesteigerte Anforderungen auf allen Gebieten der Forschung, der Organisation und der Planung beim Aus- und Neubau von Werksanlagen sowie auf dem Gebiet der Finanzierung.

Um die Anwendung von Stickstoffdüngemitteln auf das höchstmögliche Maß zu steigern, wurde seitens der zuständigen Behörden durch Verordnung vom 23. März 1937 eine außergewöhnliche Senkung der Preise in Höhe von 30% mit Rückwirkung vom 1. Januar 1937 verfügt. Die sich aus der rückwirkenden Preissenkung für die stickstoffhaltigen Düngemittel ergebenden Preisnachlässe waren durch Lieferung von Stickstoffdüngemitteln zu gewähren.

Im Zuge der Preissenkungsaktion der Regierung wurden weiterhin die Preise für photographische Markenartikel, eine Reihe von pharmazeutischen Spezialfabrikaten und die Inlandspreise für Vistra-faser, Viskose- und Aceta-Seide gesenkt.

Die Aufwendungen für die auch für das Geschäftsjahr 1937 ausgezahlte Jahresprämie stiegen von Reichsmark 11.7 Millionen im Vorjahr auf Reichsmark 13.5 Millionen.

Entsprechend den in der Umwandlungsgesetzgebung zum Ausdruck gekommenen Bestrebungen der staatlichen Wirtschaftsführung wurden im Jahr 1937 eine Reihe von Tochtergesellschaften auf die I.G. übernommen und so der Aufbau des Konzerns einfacher und übersichtlicher gestaltet.

Dadurch sind aus dem Bestand der Beteiligungen die folgenden Gesellschaften mit dem dabei vermerkten Gesellschaftskapital ausgeschieden:

Leopold Cassella & Co. G. m. b. H., Frankfurt (Main)	RM 60.880.000.—
Gewerkschaft Auguste Viktoria, Recklinghausen/Hüls i. W.	18.550.000.—
Chemische Werke Lothringen G. m. b. H., Bochum	6.000.000.—
Gewerkschaft Elise II, Halle (Saale)	5.000.000.—
Zuckerfabrik Körbisdorf Aktiengesellschaft, Körbisdorf/Halle (Saale)	2.700.000.—

Grube Auguste bei Bitterfeld A. G., Bitterfeld	RM 2.400.000.—
Aceta G. m. b. H., Berlin	2.000.000.—
Deutsch-Koloniale Gerb- & Farbstoff-Gesellschaft m. b. H., Karlsruhe/Rheinhausen	1.200.000.—
Elektrochemische Werke G. m. b. H., Frankfurt (Main)	1.200.000.—

ferner 9 kleinere Gesellschaften, deren Geschäftsbetrieb vornehmlich in der Verwaltung ihres Grundbesitzes bestanden hat.

## 1938

Die Schaffung des Großdeutschen Reiches hat die mannigfaltigen Aufgaben, die die I.G. allgemein und insbesondere auf dem Gebiet des Vierjahresplanes und der Außenwirtschaft zu erfüllen hat, weiter gesteigert.

Neben den auch im Berichtsjahre fortentwickelten alten Arbeitsgebieten gewinnt die Herstellung der neuen Großzeugnisse wie z. B. von Treib- und Schmierstoffen, synthetischem Kautschuk, Spinnfasern, Leichtmetallen und einer großen Zahl neuer Werkstoffe immer mehr an Bedeutung und erbringt den sichtbaren Beweis dafür, daß die chemische und technische Forschung der I.G. keinen Stillstand kennt. Die volle Ausnutzung der jüngsten chemischen und technischen Entwicklung wird die wirtschaftliche Güterversorgung zweifellos auch in Zukunft um eine Reihe neuer Erzeugnisse vermehren, die auf die Dauer für die natürlichen Rohstoffe keine Konkurrenz, sondern eine Ergänzung und Bereicherung bedeuten werden.

Durch den Ausbau der Produktionsanlagen und Forschungsstätten und die Erhöhung der Beteiligungen wurden die finanziellen Kräfte stark in Anspruch genommen.

Der Inlandsumsatz ist im Zuge des gesamtdeutschen Wirtschaftsaufbaues weiter gestiegen. Auch für die Zukunft ist mit einer günstigen Entwicklung zu rechnen.

In der Weltwirtschaft zeigte nach fast fünfjährigem Konjunkturaufstieg eine Reihe von großen Industrieländern, besonders die Vereinigten Staaten und Großbritannien, wirtschaftliche Ermüdungserscheinungen, die auch durch die hohen öffentlichen Ausgaben für die Aufrüstung nicht überwunden werden konnten. In weiten Teilen der übrigen Welt haben vermehrte Staatseingriffe in das Wirtschaftsleben, das Streben nach größerer Unabhängigkeit von den weltwirtschaftlichen Marktschwankungen und nicht zuletzt kriegerische Konflikte, vor allem im Fernen Osten, den Welthandel beträchtlich erschwert. Dieser Entwicklung, auf die im letzten Geschäftsbericht bereits hingewiesen wurde und mit der die I.G. auch weiterhin rechnet, wurde seit Jahren die größte Aufmerksamkeit geschenkt und das Unternehmen darauf vorbereitet. Durch Ausbau der Absatzorganisation, Einführung neuer Exportprodukte, vorsorgliche Finanzmaßnahmen und Lagerdispositionen konnten die unvermeidlichen Exportausfälle weitgehend wieder ausgeglichen werden, so daß die Ausfuhr verhältnismäßig nur unbedeutend zurückgegangen ist. Gegenüber den vielfachen, aus politischen Gründen im Ausland aufgerichteten Ausfuhrhemmnissen haben sich die privatwirtschaftlichen Verständigungen, die zwischen ausländischen Industrien und der I.G. seit langem bestehen oder neu geschaffen wurden, wiederum als für die Aufrechterhaltung des weltwirtschaftlichen Güterauslaufes bedeutsame Ein-



richtungen bewährt. Die I.G. hofft, daß trotz der politischen Spannungen diese freundschaftlichen Verbindungen sich auch in Zukunft in diesem Sinne auswirken werden.

Die wirtschaftliche Eingliederung Österreichs und des Sudetenlandes bedeutet, daß bisherige Exportmärkte zu Inlandsmärkten mit weitgehend veränderten nationalwirtschaftlichen Grundlagen und wirtschaftspolitischen Zielsetzungen geworden sind. Die bis dahin in diesen Gebieten im wesentlichen nach den Erfordernissen des deutschen Exports ausgerichteten Interessen wurden umgestellt und durch Erwerb verschiedener Beteiligungen erweitert.

Das Ergebnis des vergangenen und die bisherige Entwicklung des neuen Geschäftsjahres erlauben auch für die Zukunft eine hoffnungsvolle Beurteilung des Ausfuhrgeschäftes. Dies gilt insbesondere für die in der Industrialisierung begriffenen bisherigen Agrar- und Rohstoffländer, deren Bedeutung als Abnehmer der I.G.-Erzeugnisse ständig steigt. Diese Verlagerungstendenz ist schon seit längerer Zeit in dem Rückgang der Ausfuhr nach den alten Industriestaaten in Westeuropa und Nordamerika und ihrer gleichzeitigen weiteren Zunahme nach den industriell aufstrebenden Gebieten in Ost- und Südosteuropa sowie in Süd- und Mittelamerika in Erscheinung getreten. Im Interesse einer dauerhaften Steigerung der Austauschmöglichkeiten dieser Länder ist die I.G. bestrebt, ihre Entwicklung auch weiterhin durch planmäßige Mithilfe bei ihrem wirtschaftlichen Aufbau zu fördern.

Die Inangriffnahme und Bewältigung der Arbeitsprogramme stellten wiederum hohe Ansprüche an den Fleiß und die Hingabe der gesamten Gefolgschaft. Die I.G. freut sich feststellen zu können, daß die Gefolgschaft, jeder an seinem ihm zugewiesenen Platze, mit dem vollen Einsatz ihrer Arbeitskraft dazu beigetragen hat, die gewaltigen im Berichtsjahre durchgeführten Aufgaben zu erfüllen. Die dankbare Erinnerung gilt insbesondere allen denen, die in ihrer Berufsarbeit ihr Leben zum Opfer bringen mußten.

In der Durchführung der Arbeitsprogramme ist die I.G. durch die amtlichen Maßnahmen für einen planvollen und sachgemäßen Arbeitseinsatz wirkungsvoll unterstützt worden. Die Sicherstellung der für die Durchführung der Aufgaben erforderlichen Arbeitskräfte gewinnt ständig zunehmende Bedeutung. Es wurden daher auch die Einrichtungen des Unternehmens zur Heranbildung des geeigneten Nachwuchses und zur Leistungssteigerung der Gefolgschaft noch mehr als bisher gefördert und ausgebaut.

Über die einzelnen Arbeitsgebiete der I.G. und über ihre Sozialarbeit ist für das abgelaufene Geschäftsjahr folgendes zu berichten:

#### Farbstoffe und Färbereihilfsprodukte.

Der besonders hohe Umsatz des Jahres 1937 konnte im Berichtsjahre nicht ganz erreicht werden. Zwar hat sich das deutsche Geschäft weiter gut entwickelt, hingegen sind in einer ganzen Reihe von Ausfuhrmärkten nicht unerhebliche Einbußen zu verzeichnen. Besonders niedrig war das Geschäft infolge der kriegsrischen Verwicklungen im Fernen Osten und in Spanien; auch der Umsatz nach den angelsächsischen Ländern war rückläufig.

Die Verstärkung der deutschen Handelsbeziehungen zu den Ländern des Donaumaues, die Beendigung des spanischen Bürgerkrieges und der in einigen für den Farbstoffabsatz wichtigen Märkten, wie England und Südamerika, neuerdings gebesserte Konjunkturverläufe lassen die Aussichten für die künftige Entwicklung des Ausfuhrgeschäftes wieder günstiger erscheinen.

Der weitere technische Fortschritt kommt vor allem darin zum Ausdruck, daß es wieder möglich war, neben einer Reihe neuer Farbstoffe eine Anzahl für die Textilausrüstung wichtiger Hilfsmittel auf den Markt zu bringen.

#### Chemikalien.

Erwartungsgemäß war auch im Jahre 1938 eine befriedigende Entwicklung des Geschäftes in den Erzeugnissen der Chemikaliensparte zu verzeichnen. Im Inland war eine erhebliche Umsatzerhöhung festzustellen, an der die neuen Werk- und Kunststoffe besonderen Anteil hatten; in der Ausfuhr konnte der Umsatz des Vorjahres erreicht werden, wobei sich der Absatz in Europa erhöhte, während das Überseegeschäft eine Einbuße erlitt.

Auf dem Gebiete eines der wichtigsten anorganischen Produkte wurde ein Beitrag zur Verarbeitung deutscher Rohstoffe durch Inbetriebsetzung einer Großanlage zur Herstellung von Schwefelsäure und Zement aus Gips geliefert.

Die Arbeiten auf dem Gebiete des synthetischen Kautschuks „Buna“ haben sowohl bezüglich der Herstellung wie auch besonders in der Anwendung die erwarteten Fortschritte gebracht.

Die Konkurrenzverhältnisse im Ausland haben sich vielfach verschärft, so daß für eine Reihe von Erzeugnissen Preissenkungen vorgenommen werden mußten. Durch Erneuerung bestehender Vereinbarungen und Verständigungen auf verschiedenen Gebieten konnte einer weiteren Verschärfung des Wettbewerbs begegnet werden.

Nach den bis jetzt vorliegenden Ergebnissen dürfte für 1939 in Deutschland mit einer weiteren Umsatzerhöhung zu rechnen sein. Die Entwicklung in Europa und Übersee ist noch nicht zu überblicken. Den Ausfällen, die sich u. a. aus der Einführung der Ausgleichszölle in USA und der Lage im Fernen Osten ergeben, sucht die I.G. durch besondere Bearbeitung von Spezialprodukten und entsprechende Ausfuhrumlagerung nach bisher weniger entwickelten Märkten zu begegnen.

#### Pharmazeutika.

Die Sparte Pharma und Pflanzenschutz »Bayer« einschließlich der Dental-, Sero-Bakteriologischen und Veterinär-Medizinischen Abteilung zeigte im Jahre 1938 eine befriedigende Weiterentwicklung. Das Deutschlandgeschäft brachte erfreuliche Erfolge, insbesondere in der Ostmark und im sudetendeutschen Gebiet. Das Geschäft in Europa und Übersee hat sich zufriedenstellend gestaltet.

Die Laboratorien brachten einige weitere erfolgversprechende Produkte heraus.

#### Photographika.

Die Gesamtumsätze in photographischen Agfa-Erzeugnissen zeigen trotz der erheblichen Ausfälle im Fernen Osten auch im Berichtsjahr eine günstige Entwicklung. Dies gilt insbesondere für das Inlandgeschäft unter Einschluß der Ostmark und des Sudetengaus. Im Auslandgeschäft konnte insgesamt noch eine kleine Steigerung erzielt werden.

Der Agfacolor-Neu-Film findet sehr guten Anklang; sein Absatz entwickelt sich erfreulich.

Für das neue Geschäftsjahr wird eine Fortsetzung der bisherigen Entwicklung erhofft.

#### Kunstseide und Zellwolle.

Die Verwendung der Kunstseide- und Zellwolleprodukte für neue Gebiete der Textilindustrie sowie die Verbesserung der bisherigen und die Einführung neuer Qualitäten führten, unterstützt durch die amt-

I.G. Dyes trust that in spite of political tensions these friendly agreements will have their effect also in future.

The economic incorporation of Austria and »Sudetenland« transformed export-markets into home-markets whose economic conditions and aims changed to a great extent. The aims of I.G. Dyes which corresponded up to that time to the requirements of German export policy were to be altered accordingly and expanded by acquiring new interests.

The results of the previous and the development during the present business year allow I.G. Dyes to judge favourably the future of the export sales. This refers specially to those countries which produced up to now mainly agricultural products and raw materials and are just being industrialized. Their importance as consumers of I.G.-products is constantly increasing. Since a longer time this tendency is demonstrated by the decline of exports to the old industrial countries of Western Europe and North America and a increase in the sales effected in those countries of Eastern- and South-Eastern-Europe as well as Central- and South America whose industry is just being developed. So as to ensure a lasting growth of the exchange possibilities offered by those countries I.G. Dyes endeavour to assist them whenever possible in their economic reconstruction.

To start and cope with the production plans required a high degree of diligence and cooperation on the part of the entire staff. I.G.-Dyes are glad to state that every member of their staff contributed in his capacity to the solution of the immense tasks to be dealt with in the year under review by fully availing of all his faculties. The memory of those is to be especially honoured who sacrificed their life when attending to their duty.

The execution of the production programmes of I.G. Dyes was efficaciously supported by official measures ensuring a systematical and suitable employment of labour. The provision of the labour necessary for the solution of these tasks is steadily gaining importance. The institutes of the Company for the professional education of apprentices and other members of the staff were therefore expanded and fostered to a greater degree than till now.

The following is to be reported on the individual production fields of I.G. Dyes as well as their social welfare work:

#### Dyestuffs and auxiliary products for use in dyeing and printing.

Sales figures in the year under review could just not reach the extraordinary high turnover of 1937. Whereas the German business progressed satisfactorily, in quite a good number of countries sales declined. In view of the war business in the Far East and in Spain was especially affected. Exports to the Anglo-Saxon-Countries declined.

In view of the closer German trade relations with the Danube countries, the conclusion of the Spanish Civil War and the recovery of important dyestuff-markets like England and South America it appears that in future dyestuff exports will develop more favourably.

The technical progress is shown by the fact that it was possible to bring out apart from some new dyes a number of important auxiliary products.

#### Chemicals.

In accordance with expectations sales in the products of this field of manufacture developed satisfactorily. In the home market sales went up considerably, the new plastics and substitutes mainly contributing to this increase. The value of exports amounted to last year's figure. Whereas sales to the European countries increased those to the I.G. effected in Overseas declined.

An important contribution to the use of German raw materials in the field of the manufacture of one of the most important inorganic products was made by setting up a plant for the production of sulphuric acid and cement from calcium sulphate.

The researches referring to the production of the synthetic rubber »Buna« showed the expected progress as far as the mode of manufacture and new applications were concerned.

Competition in foreign countries increased so that prices were to be reduced for a number of products. By renewing existing agreements and coming to an understanding in various spheres of production a further growth of competition could be avoided.

Judging from the business results obtained so far the German sales will probably show a further increase in 1939. The development in Europe and Overseas can not yet be surveyed. I.G. Dyes try to meet the losses resulting from the introduction of equalization duties in the U.S.A. and the political situation in the Far East by introducing special products and by concentrating their efforts on markets which were not developed so far.

#### Pharmaceuticals.

The sales organisation Bayer comprising a pharmaceutical, serumbacterial, veterinary and agricultural department showed also in the year under review satisfactory results. The German business especially that in the former Austria and »Sudetenland« proved to be very successful. Also the sales »Bayer« effected in Europe and Overseas developed satisfactorily.

The research laboratories brought out new promising preparations.

#### Photographic Supplies.

The total sales of the photographic supplies of the Agfa developed favourably also in the year under review in spite of the considerable decline of exports to the Far East. This development refers specially to the German business including that of the former Austria and »Sudetenland«. Foreign sales could be slightly increased.

The new film »Agfacolor« has been generally appreciated by the public; its sales develop favourably.

It is hoped that the present favourable development will continue also during the new business year.

#### Rayon and Staple Fibre.

The use of rayon- and staple fibre-products in new fields of textile industry as well as the improvement of original products and the introduction of new qualities brought about with the help of the efforts of the Government



to direct the consumption also in the last year an increase in production and a higher consumption. This refers in particular to staple fibre. In some plants shortage of manpower was noticeable. The entire production was sold so that the increase in sales corresponds to the expansion of production. In consequence of various price reductions the value of the sales did not increase accordingly. The returns of exports to foreign countries remained unsatisfactorily on account of a severe competition and the fact that some countries increased their own production. Nevertheless special stress was laid on fostering exports thus succeeding in increasing the value and the quantities of export sales.

#### Ligneous Fibre.

The new plants serving for the production of ligneous fibre from beech according to the nitric acid as well as the sulphite process worked satisfactorily. The process to work up wet ligneous fibre directly into artificial fibre which has been carried out for the first time in the world in the works of I.G. Dyes proved to be equally successful.

#### Perfumes.

Home- and foreign-sales developed satisfactorily.

#### Motor Fuel.

The plants for the manufacture of fuel oil worked to their full capacity. The entire production was sold. The efforts to develop an economic process ensuring a high yield for the working up of German mineral oil resulted in erecting a plant in the year under

report for the the production of car lubricants from the mineral oils of Baden.

#### Nitrogen.

The home sales of nitrogenous fertilizers further increased in the year under review when compared with those effected in the previous year. According to official statistics the supplies of nitrogenous fertilizers made to agriculture of the original Germany (without taking into consideration the former Austria and "Sudetenland") by the entire German nitrogen industry as well as importers of Chilean Salpêtre developed in the last years as under:

(The figures refer only to the pure nitrogen contained in the individual fertilizers.)

1932/33	about 353.000 tons of 1000 kg each
1933/34	about 382.000 tons of 1000 kg each
1934/35	about 425.000 tons of 1000 kg each
1935/36	about 480.000 tons of 1000 kg each
1936/37	about 571.000 tons of 1000 kg each
1937/38	about 632.000 tons of 1000 kg each

Foreign sales were affected by conflicts in Spain and East Asia. In spite of this fact the total of the sales showed an increase in the season 1937/38. Generally export prices remained unchanged in the year under report when compared with those charged in the previous year. Returns decreased however on account of the fall of the exchange rate of the English £.

The international nitrogen agreement concluded in 1935 expired on June 30th 1938. After lengthy negotiations agreements with the European producers of nitrogen and the Chilean nitrogen industry

lichen Maßnahmen für die Verbrauchslenkung, auch im letzten Jahre zu einem Anstieg der Produktion und einem immer stärkeren Verbrauch, insbesondere der Zellwolle. In einzelnen Betrieben machte sich der bestehende Arbeitermangel fühlbar. Die Erzeugung wurde restlos verkauft, so daß die Absatzzunahme der Produktionserweiterung voll entspricht. Infolge verschiedener Preiserhöhungen blieb aber der wertmäßige Umsatz zurück. Die Auslandspreise sind infolge des scharfen Wettbewerbs und der vergrößerten Eigenproduktion der einzelnen Erzeugerländer weiter abgeschwächt. Trotzdem wurde der Export verstärkt betrieben und wert- und mengenmäßig eine Steigerung erzielt.

#### Zellstoff.

Die neuen Anlagen, in denen aus deutschem Buchenholz Zellstoff sowohl nach dem Salpetersäure-Verfahren als auch nach dem Sulfit-Verfahren hergestellt wird, haben sich bewährt, ebenso das Verfahren, nassen Zellstoff direkt zu Kunstfaser zu verarbeiten, das zum ersten Male in der Welt bei uns zur Ausführung gekommen ist.

#### Riechstoffe.

Das Geschäft hat sich im In- und Ausland befriedigend weiterentwickelt.

#### Treibstoffe.

Die für die Gewinnung von Treibstoff vorhandenen Anlagen wurden restlos ausgenutzt; die Produktion wurde in vollem Umfange abgesetzt.

Die Bemühungen, für die Verarbeitung deutscher Erdöle wirtschaftliche Verfahren mit hoher Ausbeute

zu entwickeln, haben im Berichtsjahr zur Inbetriebnahme einer Anlage für die Gewinnung von Auto-schmierstoffen aus badischen Erdölen geführt.

#### Stickstoff.

Der Absatz von Stickstoffdüngemitteln ist im Inland gegenüber dem Vorjahre weiter gestiegen. Die Belieferung der Landwirtschaft im Altreich mit stickstoffhaltigen Düngemitteln durch die gesamte deutsche Stickstoffindustrie und die Importeure von Chile-salpeter hat sich nach den amtlichen statistischen Angaben, auf reinen Stickstoff berechnet, in den letzten Jahren wie folgt entwickelt:

1932/33	etwa 353 000 t
1933/34	etwa 382 000 t
1934/35	etwa 425 000 t
1935/36	etwa 480 000 t
1936/37	etwa 571 000 t
1937/38	etwa 632 000 t

Im Auslandsabsatz wirkten sich die Konflikte in Spanien und in Ostasien ungünstig aus; trotzdem konnte der Gesamtabsatz im Düngesjahr 1937/38 gegenüber dem Vorjahre erhöht werden. Die Ausfuhrpreise sind im Vergleich zum Vorjahre im allgemeinen unverändert geblieben, doch sind die Erlöse infolge der Abschwächung des englischen Pfundes etwas zurückgegangen.

Die im Jahre 1935 abgeschlossene internationale Stickstoffverständigung lief am 30. Juni 1938 ab. Nach längeren Verhandlungen wurden die Konventionsverträge mit den europäischen Stickstoffherzeugern und mit der chilenischen Salpeterindustrie für weitere





drei Jahre, also bis zum 30. Juni 1941, auf der bisherigen Grundlage erneuert.

Die deutsche Stickstoffindustrie rechnet für das Düngejahr 1938/39 mit einer weiteren Steigerung des Inlandsabsatzes. Die Ausfuhr kann im laufenden Düngejahr voraussichtlich gehalten werden.

#### Bergbau.

Die Förderung der Braunkohlengruben einschließlich der im Konzernbesitz befindlichen sowie die Förderung und Kokszerzeugung der Steinkohlengrube Auguste Viktoria betragen in den letzten drei Jahren:

	1936	1937	1938
I. Braunkohle:	t	t	t
Eigene Gruben in Mitteldeutschland ..	10 113 803	11 224 320	11 370 199
Konzerngesellschaften in Mitteldeutschland ..	11 395 571	13 852 380	14 453 677
Summe Mitteldeutschland:	21 509 374	25 076 700	25 823 876
Eigene Gruben im Rheinland ..	3 097 892	3 496 566	3 620 013
Summe Braunkohle:	24 607 266	28 573 266	29 443 889
II. Steinkohle und Koks:			
Zeche Auguste Viktoria			
Steinkohlenförderung ..	1 393 671	1 591 093	1 500 895
Koks-erzeugung ..	500 093	511 411	520 864

Der bisherige Höchstabsatz nach dem Kriege ist bei den Braunkohlengruben in fast allen Erzeugnissen überschritten, bei Steinkohle und Koks noch nicht ganz erreicht.

Die Absatzverhältnisse im Braunkohlenbergbau dürften auch im neuen Geschäftsjahr sehr günstig bleiben; im Steinkohlenbergbau ist auf behördliche Anordnung vom 1. April d. J. an die Schichtzeit der Untertagearbeiter um 45 Minuten auf 8 1/2 Stunden je Schicht erhöht worden.

#### Sozialbericht.

a) Gefolgschaft. Die Gesamtgefolgschaft der I.G. Farbenindustrie Aktiengesellschaft einschließlich der Firmen Ammoniakwerk Merseburg G. m. b. H., Merseburg/Leuna, Kalle & Co. Aktiengesellschaft, Wiesbaden-Biebrich, und Aktien-Gesellschaft für Stickstoffdünger, Knapsack bei Köln, betrug

	am 1. 10. 1932	31. 12. 1937	31. 12. 1938
Arbeiter .....	47 596	97 875	106 496
Angestellte ..	17 044	26 324	28 714
zusammen ...	64 640	124 199	135 210

Die große Zahl von Neueinstellungen in den letzten Jahren hat im Durchschnitt zu einer Verjüngung der Gefolgschaft geführt. Über 50 Jahre alt waren von den Gefolgschaftsmitgliedern 13 813 oder 11,3%.

Am 1. Januar 1939 standen 9279 Werkskameraden 25 und mehr Jahre in den Diensten der Betriebe. Im Jahre 1938 begingen hiervon 1586 ihr 25jähriges und 94 ihr 40jähriges Dienstjubiläum.

Von der männlichen Gefolgschaft waren 80% verheiratet. In 106 757 Fällen wurden tarifliche oder übertarifliche Kinderzulagen gezahlt.

Die Gefolgschaft der Gruben betrug

	am 1. 10. 1932	31. 12. 1937	31. 12. 1938
Arbeiter .....	10 705	17 863	17 670
Angestellte ..	1 082	1 686	1 833
zusammen ...	11 787	19 549	19 503

Unter Einschuß der nahestehenden Unternehmungen ergibt sich eine Gesamtgefolgschaft von 218 090 Gefolgschaftsmitgliedern Ende 1938 gegenüber 192 929 Ende 1937.

b) Arbeitseinsatz. Es bedurfte außerordentlich großer Anstrengungen und der Durchführung besonderer Maßnahmen — Wohnlager, gesteigerte Wohnungsbeschaffung —, um insbesondere bei den mittel-deutschen Werken den Mangel an Arbeitskräften notdürftig auszugleichen. In sehr vielen Betrieben mußte zu diesem Zwecke seit Monaten in erheblich verlängerter Wochenarbeitszeit gearbeitet werden. Dabei wird in Verbindung mit der zuständigen Gewerbeaufsicht dafür gesorgt, daß eine zu starke Beanspruchung der Gefolgschaftsmitglieder vermieden wird. Die Wochenarbeitszeit betrug Ende 1938 im Durchschnitt aller Werke bei den Arbeitern 49,2 und bei den Angestellten 48,1 Stunden.

Im Zusammenhang mit der Beschaffung der fehlenden Arbeitskräfte ist auch die Frage des weiblichen Arbeitseinsatzes besonders wichtig geworden. Es ist selbstverständlich, daß bei der notwendig gewordenen Ausdehnung der Frauenarbeit Vorsorge getroffen wird, daß Fehlleistungen, die sich in einer Beeinträchtigung der Volksgesundheit auswirken müßten, vermieden werden.

c) Berufsausbildung. Alle Fragen der Berufsausbildung auf handwerklichem, chemischem und kaufmännischem Gebiet wurden mit besonderer Sorgfalt behandelt.

Auf Grund der langjährigen praktischen Erfahrungen der chemischen Betriebe sind vom Reichsinstitut für Berufsausbildung in Handel und Gewerbe (früher Datsch) in Verbindung mit der Wirtschaftsgruppe Chemische Industrie und der Deutschen Arbeitsfront für die beiden Ausbildungsberufe des Chemiebetriebs-jungwerkers und Chemielaborjungwerkers Berufsbilder und Berufsausbildungspläne geschaffen worden, die im Oktober 1938 vom Reichswirtschaftsministerium anerkannt wurden. Der Vorteil dieser zweijährigen Grundausbildung besteht für den Jungwerker darin, daß er vielseitiger einsatzfähig wird, vom Betriebe besondere Förderung erfährt und frühzeitig zum Chemiebetriebsfachwerker und Chemielaborfachwerker aufrücken kann. In den Werken der I.G. wurde mit dieser Ausbildung Ostern 1939 begonnen, nachdem in mehreren Betrieben schon vorher versuchsweise eine Ausbildung chemischer Jungarbeiter in diesem Sinne eingeführt worden war.

Daneben wurden auch im abgelaufenen Jahre außerbetriebliche Ausbildungsstätten des Chemiker-, Ingenieur- und technischen Nachwuchses gefördert und die im Reichsberufswettkampf ausgezeichneten Werkskameraden einer entsprechenden weiteren Ausbildung zugeführt. Am Reichsberufswettkampf 1938 beteiligten sich insgesamt 9559 Gefolgschaftsmitglieder, von denen 43 Gausieger und 7 Reichssieger wurden.

d) Unfallverhütung. Mit Erfolg wurde der Verhütung von Unfällen durch technische und psychologische Mittel, Einsatz von Werkssicherheitsingenieuren, Arbeitsschutzwaltern, Unfallvertrauensmännern und durch Veranstaltung von Unfallverhütungswochen ganz besondere Aufmerksamkeit zugewandt.

e) Jahresprämie. Zu Beginn des Jahres 1939 wurde eine Jahresprämie für 1938 ausgeschüttet, die

were renewed on basis of the former conventions for a further 3 years, i. e. till June 30th 1941.

The German nitrogen industry is of the opinion that home sales will further increase during the season 1938/39. Probably export sales will be fully maintained during the present season.

#### Mining Industry.

The output of the lignite mines owned by I. G. Dyes including that of affiliated companies as well as the output and coke production of the coal mine "Auguste Viktoria" were as under during the last 3 years:

	1936	1937	1938
	tons	tons	tons
I.) Lignite:			
own mines in Central Germany .....	10 113 503	11 224 320	11 370 199
affiliated companies in Central Germany ..	11 395 571	13 852 380	14 453 677
Total for Central Germany ..	21 509 374	25 076 700	25 823 876
Own mines in the Rhineland ..	3 097 892	3 496 566	3 620 013
Grand Total ..	24 607 266	28 573 266	29 443 889

II.) Coal and Coke:			
Mine "Auguste Viktoria"			
Output of coal .....	1 393 671	1 591 093	1 500 895
coke production ..	500 093	511 411	520 864

The turnover of nearly all products of the lignite mines surpassed the highest sales reached so far after the war whereas sales of coke and coal did not touch these record figures.

The sales of the products of the lignite mines are expected to develop favourably also during the present year. On account of an official order the working time of miners working below the surface of the earth was increased to 8,75 hours per shift.

#### Social Activities.

a) Staff. The entire staff of I. G. Dyes including that of Ammoniakwerk Merseburg G. m. b. H., Merseburg-Leuna, Kalle & Co. Aktiengesellschaft, Wiesbaden-Biebrich und Aktiengesellschaft für Stickstoffdünger, Knapsack near Cologne numbered

	on 1. 10. 1932	31. 12. 1937	31. 12. 1938
workmen ...	47 596	97 875	106 496
employees ..	17 044	26 324	28 714
total .....	64 640	124 199	135 210

The great number of new engagements during the last year resulted in a reduction of the average age of staff members. The age of only 11,3% i. e. that of 13 813 staff members amounted to 50 years and more.

On January 1st 1939 9 279 employees and workmen were for 25 years and more in the service of I. G. Dyes. In 1938 1 586 members of the staff celebrated their jubilee of 25 years service and 94 members that of 40 years service.

80% of the male members of the staff were married. In 106 757 cases children allowances according to or in excess of existing tariff schedules were paid.

The number of persons employed in the mines was under:

	on 1. 10. 1932	31. 12. 1937	31. 12. 1938
workmen ...	10 705	17 863	17 670
employees ..	1 082	1 686	1 833
total .....	11 787	19 549	19 503

Including the staff of affiliated companies I. G. Dyes employed 218 090 persons towards the end of 1938 whereas at the same time of the previous year only 192 929 persons were in their service.

b) Provision of labour. Extraordinary great efforts and special measures as for example the setting up of barracks and the provision of housing were required to meet the want of labour prevailing especially at the works in Central Germany. For this reason it proved to be necessary since months to increase working hours in many plants. In cooperation with the official inspectors of industry care has been taken that an overworking of employees and workmen is avoided. At the end of 1938 weekly working hours amounted to 49,2 in the case of workmen and to 48,1 in the case of employees.

In connection with the provision of labour the question whether to employ female labour gained considerable importance. It is to be selfunderstood that unsuitable working conditions are to be avoided which are apt to affect the health when expanding the employment of female labour.

c) Professional Training. All questions referring to the professional training in the fields of chemistry, handicraft and trade find the careful attention of I. G. Dyes.

In cooperation with the Industrial Division "Chemical Industry" (Wirtschaftsgruppe Chemische Industrie) and the "Union of German workers" (Arbeitsfront) the Government Institute for professional training in commerce and industry (Reichsinstitut für Berufsausbildung in Handel und Gewerbe) formerly called "Datsch" issued training plans based upon long-standing experiences for apprentices employed in chemical plants and chemical laboratories which were approved by the German ministry for economics in October 1938. The advantages offered to the young apprentice by the two years of basic training consist of an all round training fostered by the company and the fact that after a comparatively short time he might be employed as a specialist in chemical plants or in chemical laboratories. This training was generally started in the works of I. G. Dyes in April 1939 after several departments had introduced such a training as a trial.

Also during the year under review training centres not connected with I. G. Dyes for Chemists, Engineers and Mechanics were fostered and young workmen as well as employees who won honours on the occasion of the official competition for apprentices were offered the opportunity for a further suitable training. 9 559 members of the staff of I. G. Dyes took part in this competition. 43 won divisional honours and 7 received prizes which were conferred to the best competitors of the entire Germany.

d) The prevention of accidents. I. G. Dyes paid special attention to the prevention of accidents by technical and psychological designs such as the employment of special engineers and elected members of the staff who were to provide for the safety of all workers as well as the introduction of weeks during which designs for the prevention of accidents were demonstrated.

e) Annual premium. In the beginning of 1939 a premium was paid for the year 1938 which



amounted to RM 16,300,000.— as compared to RM 13,500,000.— distributed for the year 1937. This premium was calculated on basis of an original amount of RM 25.— which was increased by allowances corresponding to the years of service of the respective staff members and a profit share in conformity with the increased dividend of 8%. 108,156 employees and workmen were entitled to draw this premium which amounted as an average to RM 147,40.

f) Sozial policy. In the field of social policy the managing board, employees and workmen cooperated confidently together. This cooperation took mainly place in the boards of the individual plants and works entrusted with the welfare of the workers.

1. Housing and workers colonies. Particularly in Central Germany 1,577 new housing and settling units were built partly with the help of the mutual building societies founded by I. G. Dyes or the administration of the pension funds. Also for the forth coming two years a liberal housing and settling programme has been drawn up. At the end of 1935 the number of dwellings owned by respectively built with the help of I. G. Dyes amounted to 26,000. In spite of the growth of the staff even to day every fourth married member of the staff lives in such a dwelling.

Out of the newly built units 439 were small settlements, 213 were dwellings to be owned by the respective employees and workmen and 925 were flats comprising mostly 4 rooms. RM 10,500,000.— were necessary to build in 1935 1,371 units without taking into consideration 206 dwellings owned by I. G. Dyes and to be kept at the disposal of their staff. Out of the total capital required RM 3,500,000.— have been made available by the pension funds by means of loans and capital investments. Thus the reserves raised by the concern as well as employees and workmen for old age pensions could be employed for financing the housing and settling programmes.

2. Medical care. 35 doctors either fully or partly employed were entrusted with the supervision of the medical care for employees and workmen according to the directions agreed upon by the Principal Health Board (Hauptamt für Volksgesundheit) of the N.S.D.A.P. and the Division „Industry“ (Reichsgruppe Industrie). The medical service instituted in all works not only serves to diagnose diseases and to cure them but also to prevent diseases and to foster health. This service is complemented by 13 sanatoria and holiday homes owned by I. G. Dyes which accommodated in 1935 a total of 2,994 employees and workmen during 83,015 days. Besides with the support of I. G. Dyes 1,114 employees and workmen spent a total of 31,085 days in holiday homes not owned by the firm.

14 health insurance funds managed by the company provided RM 3,636,761.— of sick money for 60,656 cases. For medical and dental treatment RM 3,735,530.—, for hospital charges RM 2,424,633.— and for the provision of remedies RM 1,743,501.— were spent.

In cooperation with the doctors employed by the company and the management of the works a central hygienic laboratory subjects all new manufacturing processes and raw materials to examinations so as to ascertain their influence upon the health of the workers and to prevent professional diseases. Consequently the number of such cases remains negligible. In 1935 only 116 cases of professional diseases were reported by the works to the trade unions of the Chemical Industry. 14 cases were compensated in accordance with the stipulations of the German insurance laws.

Adequate contributions on the part of the firm ensure that all employees and workmen especially however minors and those whose income is limited have the possibility to enjoy a tasty warm lunch.

3. Provision for old age. The provision for old age, invalidity and family members of deceased employees and workmen remains as in the past the most important part of the social policy of the company. It has been possible to rebuild a part of the institutes destroyed by inflation, which are to provide for old age. Old age pensions are financed by the pension funds and by annuities paid by the company.

In cases of need former members of I. G. Dyes are assisted by the Company. Retired members take part also in the social life of employees and workmen which is sponsored by I. G. Dyes, thus maintaining the connections with their old employers.

4. Welfare work on the part of the company. In the last years welfare work amongst employees and workmen as well as their families in cases of sickness and need has been further expanded by the individual works of I. G. Dyes. At any time employees and workmen may confidently approach the welfare institutes of the firm.

5. Fostering of the comradeship in the works and sports sponsored by the company. I. G. Dyes supported the N.S. organisation „Strength by Joy“ (Kraft durch Freude) to the best of their power. Entertainments in the institutes of the company and in workers colonies during off working hours were highly appreciated by employees and workmen. In this connection the numerous well stocked libraries and institutes for the promotion of education are to be mentioned. The journal „from work to work“ (von Werk zu Werk) was further developed and enjoys the special interest of its readers numbering about 150,000.

On May 1st 1935 every employee and workman received a copy of the carefully composed work „products of our work“ (Erzeugnisse unserer Arbeit) which described in an easy comprehensible form the tasks of the company in social and industrial fields.

The 75 years jubilee of the establishment of the I. G. works at Höchst, Leverkusen-Elberfeld, and Griesheim as well as Messrs. Kalle & Co. Aktiengesellschaft, Wiesbaden-Biebrich gave occasion to celebrations and foundations. Memorials were distributed amongst employees and workmen describing the historical development and the achievements of their works.

Sport Unions of the individual works in which were incorporated the former sportclubs of I. G. Dyes offered to a steady increasing number of staff members the opportunity for healthy exercise. All works took part in 1935 in the sports review for workers; numerous departments won divisional prizes and one department was successful in an all German competition.

#### Social Contributions.

Since the figures and data given in the report on the social activities of the company do not refer only to I. G. Dyes but also to the Ammoniakwerk Merseburg G. m. b. H., Kalle & Co. A. G. as well as Aktiengesellschaft für Stickstoffdünger they can not be compared with the corresponding figures of the profit and loss account.

— errechnet nach einem Grundbetrag von RM 25.—, einer je Dienstjahr steigenden Treueprämie und einem Gewinnanteil entsprechend der auf 8% erhöhten Dividende — einen Gesamtbetrag von RM 16,3 Millionen gegenüber RM 13,5 Millionen im Jahre 1937 erforderte. Empfangsberechtigt waren 108 156 Gefolgschaftsmitglieder, von denen jeder durchschnittlich RM 147,40 erhielt.

f) Betriebliche Sozialpolitik. Auf dem Gebiet der betrieblichen Sozialpolitik haben Führung und Gefolgschaft insbesondere in den Vertrauensräten der einzelnen Betriebe und im Unternehmensbeirat vertrauensvoll zusammengearbeitet. Hierbei wurden auch die Betriebsordnungen der Werke einer Prüfung unterzogen und bei fast allen Betrieben neu gefaßt.

1. Wohnungs- und Siedlungswesen. Vor allem in Mittelddeutschland wurden — zum Teil unter Einsatz der von der I. G. oder den Pensionskassen gegründeten gemeinnützigen Wohnungsbaugesellschaften — 1677 neue Wohnungs- und Siedlungseinheiten geschaffen und auch für die kommenden beiden Jahre ein großzügiges Wohnungs- und Siedlungsprogramm in Angriff genommen. Ende 1935 betrug die Zahl der Werks- und werksgeforderten Wohnungen 26 600. Trotz des Anwachsens der Gesamtgefolgschaft entfällt damit auch heute noch etwa auf vier verheiratete Gefolgschaftsmitglieder eine derartige Wohnungseinheit.

Unter den neuerrichteten Einheiten befanden sich 439 Kleinsiedlungen und 213 Eigenheime gegenüber 925 Stockwerkswohnungen, bei denen die 4-Raum-Wohnung weit überwiegt. Von dem gesamten Kapitalaufwand für die im Jahre 1935 erstellten 1371 Wohnungseinheiten — ohne 206 Werkswohnungen — im Gesamtbetrag von RM 10,5 Millionen wurden RM 3,8 Millionen durch Darlehen und Kapitalbeteiligungen der Pensionskassen zur Verfügung gestellt, so daß auch in diesem Jahre wieder von der Gefolgschaft und der Firma aufgebrachte Rücklagen für die betriebliche Altersfürsorge unserem Wohnungs- und Siedlungsbau zugeführt werden konnten.

2. Gesundheitsführung. Die Gesundheitsführung in den Betrieben wurde unter Leitung von 38 haupt- und nebenamtlichen Betriebsärzten im Sinne der zwischen dem Hauptamt für Volksgesundheit der NSDAP und der Reichsgruppe Industrie vereinbarten Richtlinien durchgeführt und ausgebaut. Die in allen Werken vorhandenen fabrikärztlichen Einrichtungen dienen nicht nur der Krankheitserkennung und Heilung, sondern auch vor allem der Krankheitsverhütung und der Gesundheitsförderung. Ergänzt wird dieses Wirken durch 13 werkseigene Heilstätten und Erholungsheime, in denen im Jahre 1935 2964 Arbeitskameraden für insgesamt 83 015 Verpflegungstage untergebracht waren. Außerdem fanden mit Unterstützung der I. G. 1114 Werkskameraden für 31 085 Verpflegungstage in werksfremden Erholungsheimen Unterkunft.

Die insgesamt 14 Betriebskrankenkassen brachten in 60 656 Krankheitsfällen RM 3 636 761,— an Krankengeldern auf. Für ärztliche und zahnärztliche Behandlung wandten sie RM 3 735 530,— auf, für Krankenhauspflege RM 2 424 633,— und für Heilmittelbeschaffung RM 1 743 861,—.

In Zusammenarbeit mit den Betriebsärzten und den Betrieben werden in einem zentralen gewerbehygienischen Laboratorium alle neuen Fabrikationsverfahren und Werkstoffe nach gewerbemedizinischen Gesichtspunkten einer Untersuchung unterworfen, die der Entstehung von gewerblichen Berufserkrankungen vorbeugen soll. Deren Zahl ist infolgedessen auch verhältnismäßig gering. Im Jahre 1935 wurden von den Betrieben nur 116 gewerbliche Berufserkrankungen

der Berufsgenossenschaft der chemischen Industrie gemeldet, von denen 14 nach den Vorschriften der Reichsversicherungsordnung entschädigt wurden.

Durch erhebliche Zuschüsse der Firma wird erreicht, daß alle Werksangehörigen, vor allem die Gefolgschaftsmitglieder mit kleinerem Einkommen und die Jugendlichen, ein ausreichendes und gut zubereitetes warmes Mittagessen erhalten können.

3. Altersvorsorge. Die Vorsorge für Alter, Invalidität und Hinterbliebene bildet nach wie vor ein Kernstück der betrieblichen Sozialpolitik. Es ist möglich gewesen, einen Teil der durch die Inflation zerstörten Altersvorsorgeeinrichtungen seit 1924 wieder aufzubauen. Die Altersversorgung der Gefolgschaft erfolgt außer durch Leistung der Pensionskassen durch Werksrenten.

Die I. G. hält mit den ehemaligen Werkskameraden auch durch fürsorgliche Betreuung in allen Notfällen und ihre Beteiligung am Kameradschaftsleben der aktiven Betriebsgemeinschaft Verbindung.

4. Werksfürsorge. Die Betreuung der Gefolgschaftsmitglieder und ihrer Familien im Falle von Krankheit und unverschuldeter Not hat in den letzten Jahren bei den Werken einen weiteren Ausbau erfahren. Die Gefolgschaftsmitglieder können sich jederzeit vertrauensvoll an die Fürsorgeeinrichtungen der Werke wenden.

5. Förderung der Betriebskameradschaft und des Betriebssports. Die Aufgaben der NS.-Gemeinschaft „Kraft durch Freude“ wurden in den Werken nach besten Kräften unterstützt. Die Freizeitgestaltung in den Feiertagshäusern und außerhalb der Werke, vor allem in den Siedlungen, erfreut sich in der Gefolgschaft eines besonders lebhaften Zuspruchs. In diesem Zusammenhang sind auch die zahlreichen gut ausgebauten Werksbüchereien und Fortbildungseinrichtungen zu erwähnen. Die Zeitschrift „Von Werk zu Werk“ wurde weiter ausgebaut und erfreut sich des besonderen Interesses ihrer fast 150 000 Leser.

Am 1. Mai 1935 wurde an die Gefolgschaft ein sorgfältig ausgestattetes Werk „Erzeugnisse unserer Arbeit“ verteilt, das jedem Gefolgschaftsmitglied an Hand leicht verständlicher Darstellungen ein Bild von dem umfassenden Aufgabenkreis des Unternehmens auf wirtschaftlichem und sozialem Gebiet gab.

Das 75 jährige Bestehen der I. G.-Werke Höchst, Leverkusen-Elberfeld, Griesheim und der Firma Kalle & Co. Aktiengesellschaft Wiesbaden-Biebrich, gab Veranlassung zu Stiftungen und Gemeinschaftsfeiern. Durch Verteilung von Gedenkschriften wurden die Gefolgschaftsmitglieder mit der Entwicklung ihrer Werke und deren historischen Leistungen näher bekanntgemacht.

Die bei allen Werken entstandenen Betriebssportgemeinschaften, in die sich die früheren Werksportvereine als Wettkampfgemeinschaften eingegliedert haben, boten einer ständig steigenden Zahl von Werkskameraden Gelegenheit zu einem gesunden Ausgleich. Alle Betriebe beteiligten sich in großem Umfange am Betriebssportappell 1935; zahlreiche Betriebe wurden hierbei Gaussieger, ein Betrieb Reichssieger.

#### Übersicht über die Aufwendungen für soziale Zwecke.

Da sich die Mitteilungen und Zahlen des Sozialberichts nicht allein auf die I. G., sondern auch auf die Ammoniakwerk Merseburg G. m. b. H., Kalle & Co. Aktiengesellschaft und Aktiengesellschaft für Stickstoffdünger beziehen, ist ein Vergleich mit den entsprechenden Zahlen in der Gewinn- und Verlustrechnung nicht schlüssig.



Aufwendungen für soziale Zwecke:	1937 RM	1938 RM
A) Gesetzliche Beiträge zur Sozialversicherung: .....	21 828 415	24 354 956
B) Aufwendungen für betriebliche Altersvorsorge: .....	41 198 309	45 787 706
C) Aufwendungen für sonstige Maßnahmen auf dem Gebiet der betrieblichen Sozialpolitik: .....	16 544 663	21 718 473

Darin sind ohne Investitionskapitalien enthalten:  
Aufwendungen für Wohnungs- und Siedlungswesen (ohne Darlehen); Barzuwendungen (ohne Jahresprämie und Urlaubslöhne) an aktive Gefolgschaftsmitglieder in Notfällen und anlässlich von Wehrdienst, Partei- und sonstigen Kursen, Jubiläumsgeschenken; betriebliche

Gesundheitsfürsorge, Werksambulanzen, Erholungsheime, Feierabendhäuser u. Speiseanstalten; Werksveranstaltungen nationaler, kultureller und kameradschaftlicher Art.	1937 RM	1938 RM
A, B und C zusammen	79 571 387	91 861 135

Im Leistungskampf 1938/39 konnten mehrere Betriebe des Gesamtunternehmens das bereits im Vorjahre erworbene Gaudiplom wiedergewinnen und eine Anzahl weiterer Betriebe mit dem Gaudiplom für hervorragende Leistungen erstmalig ausgezeichnet werden. Außerdem sind alle vier Arten des Leistungsabzeichens der Deutschen Arbeitsfront in dem Unternehmen vertreten.

Die Betriebe  
I.G. Farbenindustrie Aktiengesellschaft, Werk Aken,  
Ammoniakwerk Merseburg G. m. b. H., Gipswerk Niedersachswerfen,  
und die der I.G. nahestehende  
Duisburger Kupferhütte, Duisburg,  
erhielten am 1. Mai 1939 vom Führer die hohe Auszeichnung „NS-Musterbetrieb“.

## Betriebsbeschreibung

### 1. Produktionsgebiete:

Teerfarbstoffe und Färbereihilfsprodukte  
Stickstoffdüngemittel und andere Stickstoff-  
erzeugnisse  
Anorganische und organische Chemikalien  
Organische Zwischenprodukte  
Lösungs- und Weichmachungsmittel, Kunst-  
harze  
Synthetischer Kautschuk  
Kunststoffe  
Vulkanisationsbeschleuniger und Alterungs-  
schutzmittel  
Konservierungsmittel  
Chromgerbstoffe und synthetische Gerbstoffe  
Mineralfarben  
Leicht- und Schwermetalle und deren Legie-  
rungen  
Komprimierte Gase, Edelgase  
Autogene Schweiß- und Schneideapparate  
Synthetische Edelsteine  
I.G. Wachs  
Synthetische Riechstoffe  
Pharmazeutische Produkte  
Schädlingsbekämpfungsmittel  
Zahnärztliche Produkte  
Sera und Impfstoffe  
Veterinär-Medizinische Produkte  
Bakteriologische Farbstoffe  
Photographische Artikel: Amateurfilme, Platten,  
Kameras, Papiere, Chemikalien und Hilfsmittel,  
Schmalfilmgeräte und -filme, Projektoren, Dunkel-  
kammergeräte, Kinerohfilm, Repro-Artikel, tech-  
nische Filme, technische Platten und Papiere.  
Kunstseiden: Viskosekunstseiden (Agfa-Kunst-  
seide, Agfa-Trinova, Agfa-Dunova, Agfa-Suprema

edelmatt, Agfa-Treviratiefmatt), Acetat-Kunst-  
seide (Aceta, Aceta-Matt, Acelan), Kupfer-  
Kunstseide (Bemberg).  
Zellwolle: Vistrafaser (Viskoseverfahren), Cu-  
prama (Kupferverfahren), Acetafaser (Acetat-  
verfahren), Lanusafaser (Spezialverfahren).  
Viskose-Schwämme  
Zelluloid  
Vulkanfiber  
Sprengstoffe, Pulver, Sprengkapseln, Zünd-  
hütchen, Jagd- und Sportmunition, Waffen,  
Jagdgerätschaften  
Synthetische Kraftstoffe und Öle: Leuna-Benzin,  
Leuna-Treibgas und Motorenöle.

### 2. Grundbesitz:

Der Grundbesitz der I.G. einschl. der Ammoniakwerk  
Merseburg G. m. b. H., der Buna-Werke G. m. b. H.  
und der eigenen Gruben umfaßt insgesamt etwa  
14000 ha, wovon 22% überbaut, 78% landwirtschaft-  
lich, anderweitig oder nicht genutzt sind.  
Hierzu kommt der Grubenbesitz der I.G.-Beteili-  
gungsfirnen (ohne A. Riebeck'sche Montanwerke) mit  
etwa 367 ha.

### 3. Eisenbahntechnische Ausrüstung:

Die Werke der I.G. einschl. Ammoniakwerk Merse-  
burg G. m. b. H. verfügen über insgesamt etwa  
1200 km eigenes Bahngleis, etwa 360 Lokomotiven  
aller Art, etwa 13000 eigene Eisenbahnwagen, davon  
4390 Wagen, die bei der Reichsbahn zugelassen sind.

### Buchwert der Anlagen:

RM 604 995 199.—, davon:  
Bebaute Grundstücke und Eisen-  
bahnanlagen ..... RM 277 530 543.—  
Unbebaute Grundstücke einschl.  
Kohlenabbauberechtigungen ... RM 86 217 525.—  
Apparate, Maschinen und Utensilien RM 241 247 131.—

Social Contributions:	1937 RM	1938 RM
A) Legal contribu- tions to social in- surance .....	21.828.415.—	24.354.956.—
B) Contributions to old age pension funds .....	41.198.309.—	45.787.706.—
C) Other expenditure in the field of social policy .....	10.544.663.—	21.718.473.—

This item includes  
without taking into  
consideration capital  
investments:  
expenditure for hous-  
ing (exclusive of lo-  
ans), cash payments  
(exclusive of the  
annual premium)  
made to active mem-  
bers of the staff in  
cases of need and on  
the occasion of service  
in the armed forces,  
participation in party-  
and other courses,  
jubilee gifts, medical

care, first-aid stations,  
holiday homes, social  
institutes, canteens  
and entertainments  
of a national, cultural  
and sociable nature  
provided for by the  
company.

Total of items A, B and C RM 79.571.387.— 91.861.135.—

In the efficiency competition of 1938/39 several  
departments won again the divisional diploma al-  
ready acquired in the previous year. A number of  
further departments received for the first time the  
divisional diploma for extraordinary operating effi-  
ciency. Besides 4 classes of the efficiency badge of  
the "Workers Union" (Arbeitsfront) are represented  
in the company.

On May 1st 1939 the "leader" conferred the high  
distinction "N.S.-model enterprise" (N.S.-Musterbe-  
trieb) on the undertakings of I. G. Dyes

I. G. Farbenindustrie Aktiengesellschaft, Werk  
Aken,  
Ammoniakwerk Merseburg G. m. b. H., Gipswerk  
Niedersachswerfen  
as well as on  
Duisburger Kupferhütte, Duisburg  
which is affiliated with I. G. Dyes.

## Description of the Undertaking.

### 1. Fields of production.

Coal tar dyestuffs and dyeing auxiliaries.  
Nitrogenous fertilizers and other nitrogenous pro-  
ducts.  
Inorganic and organic chemicals.  
Organic intermediate products.  
Solvents and softening agents, synthetic resins.  
Synthetic rubber.  
Plastics.  
Vulcanization accelerators and age resisters.  
Preserving agents.  
Chrome tanning agents and synthetic tanning agents.  
Mineral colours.  
Light and heavy metals and their alloys.  
Compressed gas and inert gas.  
Autogenous welding- and cutting apparatuses.  
Synthetic precious stones.  
I. G. Wax.  
Synthetic perfumes.  
Pharmaceuticals.  
Fungicides, insecticides, Seed Dressings and other  
products of the Agricultural Department.  
Dental products.  
Sera and vaccines.  
Veterinary products.  
Bacterial dyes.  
Photographic supplies including films, plates, cameras,  
printing papers, chemicals and other photographic  
requisites, small film cameras, small films, projectors,  
dark room requisites, cinematographic raw-films,  
reproduction requisites, technical films, technical  
plates and technical printing papers.  
Rayon: Viscose Rayon (Agfa-rayon, Agfa-Trinova,  
Agfa-Dunova, Agfa-Suprema real lustreless, Agfa  
Trevira deep lustreless), Acetate Rayon (Aceta,  
Aceta lustreless, Acelan), Cuprammonium Rayon  
(Bemberg).

Staple fibre: Vistra fibre (Viscose Process), Cu-  
prama (Copper Process), Aceta Fibre (Acetate  
Process), Lanusa Fibre (Special Process).  
Viscose sponges.  
Celluloid.  
Vulcanized fibre.  
Explosives, powder, primers, percussion caps, hun-  
ting and sporting ammunition, small arms, hunting  
requisites.  
Synthetic Fuel and Lubricating Oil: Leuna Petrol,  
Leuna Propelling Gas, Leuna Lubricating Oil for  
Motors.

### 2. Real estate holdings.

The real property of I. G. Dyes including that of  
Ammoniakwerk Merseburg G. m. b. H., Buna-Werke  
G. m. b. H. and the mines owned by the Company  
comprises a total of about 34,580 acres, 22% of the  
landed property have been built upon whereas the  
remaining 78% serve for agricultural and other pur-  
poses.

The real estate of the companies stocks of which are  
held by I. G. Dyes (excluding A. Riebeck'sche Mon-  
tanwerke) amounts to about 906 acres.

### 3. Railways.

The works of I. G. Dyes including the Ammoniakwerk  
Merseburg G. m. b. H. own about 1,200 klm of railway  
lines, 360 engines of every description and about  
13,000 wagons out of which 4,390 have been registered  
for traffic on the lines of the State Railways.

### Book value of plants:

RM 604,995,199.— including  
plots built upon and railways ... RM 277,530,543.—  
plots not covered with buildings  
including mining rights ..... RM 86,217,525.—  
apparatuses, machines and  
requisites ..... RM 241,247,131.—



## Production- and Sales-Organisation.

### A) Production-Divisions.

#### Production Division «Upper Rhine».

Works: Badische Anilin & Soda-Fabrik, Ludwigshafen-on-Rhine  
with works at Oppau and Zweckel,  
Ammoniakwerk Merseburg G. m. b. H.  
with the calcium sulphate plant at Niedersachswerfen,  
Buna-Werke G. m. b. H., Schkopau.

#### Production Division «Middle Rhine».

Works: Farbwerke vormals Meister, Lucius & Brüning,  
Frankfurt-on-Main-Höchst  
with plant at Gersthofen

Works: Frankfurt-on-Main-Mainkur, Offenbach-on-Main,  
Frankfurt-on-Main-Griesheim with Autogen plant.

Further Oxygen plants at Bremen, Dortmund, Duisburg,  
Essen-Steele, Gleiwitz, Heilbronn-on-Neckar, Herren-  
wyk, Karlsruhe, Kassel, Kraftborn near Breslau, Kre-  
feld, Leipzig, Ludwigshafen-on-Rhine, Saarbrücken,  
Stuttgart, Weidenau, Wuppertal-Elberfeld.

A.-G. für Stickstoffdünger, Knapsack

Behringwerke Aktiengesellschaft Marburg/Lahn  
with works at Marbach, Eystrup and Neuhausen  
(East Prussia).

#### Production Division «Lower Rhine».

Works: Farbenfabriken vormals Friedrich Bayer & Co.,  
Leverkusen

with works at Wuppertal-Elberfeld and Dormagen.  
Chemische Fabriken vormals Weiler ter Meer, Uerdingen.

#### Production Division «Central Germany».

Works: Aktiengesellschaft für Anilin-Fabrikation,  
Farbenfabrik Wolfen.

Chemische Fabrik Griesheim-Elektron, Bitterfeld with  
works at Aken, Stassfurt, Teutschenthal, Döberitz,  
Rheinfelden i. B.

#### Production Division «Berlin».

Works: Aktiengesellschaft für Anilinfabrikation  
with works at Wolfen (film factory), Berlin-Lichten-  
berg, Munich (Camera works), Bobingen, Premnitz,  
Rottweil.

Kalle & Co. Aktiengesellschaft, Wiesbaden-Biebrich.

#### I. G.-Mines Halle (Saale).

##### I. Lignite Mines.

###### a) Geiseltal district.

Mine Elise II, Mückeln;

Mine Otto Tannenberg, Benndorf (Geiseltal);

###### b) Bitterfeld district.

Mine Theodor near Bitterfeld;

Mine Auguste near Bitterfeld;

Mine Hermine, Sandersdorf;

Mine Gustav Pistor near Bitterfeld;

Mine Marie-Antonie near Bitterfeld (closed at  
present);

Deutsche Grube Aktiengesellschaft, Halle (Saale);

###### c) Rhineland District.

Mine Wachtberg, Frechen near Cologne/Rhine

###### d) A. Riebeck'sche Montanwerke Aktiengesellschaft, Halle (Saale).

###### e) Braunkohlenwerke Bruckdorf Aktiengesellschaft, Halle (Saale).

##### II. Coal Mines.

Gewerkschaft Auguste Viktoria, Marl-Hüls.

Arm of bucket excavator



## Betriebs- und Verkaufs-Organisation

### A. Betriebsgemeinschaften

#### Betriebsgemeinschaft Oberrhein:

Werke Badische Anilin- & Soda-Fabrik, Ludwigshafen  
am Rhein,  
mit den Werken Oppau und Zweckel,  
Ammoniakwerk Merseburg G. m. b. H.  
mit Gipswerk Niedersachswerfen,  
Buna-Werke G. m. b. H., Schkopau.

#### Betriebsgemeinschaft Mittelrhein:

Werke Farbwerke vorm. Meister Lucius & Brüning,  
Frankfurt a. M.-Höchst,  
mit Werk Gersthofen.

Werke Frankfurt a. M.-Mainkur, Offenbach a. M.,  
Frankfurt a. M.-Griesheim mit Werk Autogen,

außerdem die Sauerstoffwerke in Bremen, Dortmund,  
Duisburg, Essen-Steele, Gleiwitz, Heilbronn a. N.,  
Herrenwyk, Karlsruhe, Kassel, Kraftborn b. Breslau,  
Krefeld, Leipzig, Ludwigshafen a. Rh., Saarbrücken,  
Stuttgart, Weidenau, Wuppertal-Elberfeld.

A.-G. für Stickstoffdünger, Knapsack.

Behringwerke Aktiengesellschaft, Marburg a. d. Lahn,  
mit Werken Marbach, Eystrup u. Neuhausen (Ostpr.).

#### Betriebsgemeinschaft Niederrhein:

Werke Farbenfabriken vorm. Friedr. Bayer & Co.,  
Leverkusen,

mit den Werken Wuppertal-Elberfeld und Dormagen,  
Werke Chemische Fabriken vorm. Weiler-ter Meer,  
Uerdingen.

#### Betriebsgemeinschaft

##### Mitteldeutschland:

Werke Aktien-Gesellschaft für Anilin-Fabrikation,  
Farbenfabrik Wolfen.

Werke Chemische Fabrik Griesheim-Elektron, Bitterfeld,  
Werke Aken, Stassfurt, Teutschenthal, Döberitz, Rhein-  
felden i. B.

#### Betriebsgemeinschaft Berlin:

Werke Aktien-Gesellschaft für Anilin-Fabrikation,  
mit den Werken Filmfabrik Wolfen, Berlin-Lichten-  
berg, Camerawerk München, Bobingen, Premnitz,  
Rottweil.

Kalle & Co. Aktiengesellschaft, Wiesbaden-Biebrich

#### I. G. Bergwerke Halle (Saale):

##### I. Braunkohlenbergwerke:

###### a) Revier Geiseltal:

Grube Elise II, Mückeln;

Grube Otto-Tannenberg, Benndorf (Geiseltal);

###### b) Revier Bitterfeld:

Grube Theodor bei Bitterfeld;

Grube Auguste bei Bitterfeld;

Grube Hermine, Sandersdorf;

Gustav Pistor-Grube bei Bitterfeld;

Grube Marie-Antonie bei Bitterfeld (Gruben-  
betrieb ruht);

Deutsche Grube Aktiengesellschaft,  
Halle (Saale);

###### c) Revier Rheinland:

Grube Wachtberg, Frechen bei Köln am Rhein;

###### d) A. Riebeck'sche Montanwerke Aktiengesellschaft, Halle (Saale).

###### e) Braunkohlenwerke Bruckdorf Aktiengesellschaft Halle (Saale).

##### II. Steinkohlenzechen:

Gewerkschaft Auguste Viktoria,  
Marl-Hüls.

Eimerleiter eines Abraumbaggers





## B. Verkauf

### Farbstoffe und Färbereihilfsprodukte:

I.G. Farbenindustrie Aktiengesellschaft,  
Verkaufszentrale Farben, Frankfurt (Main) 20,  
Grüneburgplatz

Telefon: Ortsverkehr 20027, Fernverkehr 20022

Telegrammanschrift: Igefarben

### Anorganische und organische Chemikalien, Leicht- und Schwermetalle, Mineralfarben, Kunststoffe und Buna:

I.G. Farbenindustrie Aktiengesellschaft,  
Verkauf Chemikalien, Frankfurt (Main) 20,  
Grüneburgplatz

Telefon: Ortsverkehr 20027, Fernverkehr 20022

Telegrammanschrift: Sulfur

### Pharmazeutische Präparate und Präparate für die Zahnheilkunde sowie Pflanzenschutzmittel:

Verkaufszentrale

#### »Bayer«

I.G. Farbenindustrie Aktiengesellschaft,  
Leverkusen-I. G. Werk

### Sera, Impfstoffe und Veterinärmedizinische Produkte:

#### »Behringwerke«

I.G. Farbenindustrie Aktiengesellschaft,  
Leverkusen-I.G. Werk

Telefon: Ortsverkehr und Fernverkehr Köln 61751

Telegrammanschriften:

für Pharmazeutika:

Pharma Leverkusenigwerk,

für Präparate für die Zahnheilkunde:

Bayerdental Leverkusenigwerk,

für Pflanzenschutzmittel:

Pflanzenschutz Leverkusenigwerk,

für Sera, Impfstoffe und vet.-med. Produkte:

Behringwerke Leverkusenigwerk.

### Stickstoffprodukte:

Düngestickstoff: Der Verkauf erfolgt durch das  
Stickstoff-Syndikat G. m. b. H., Berlin NW 7,  
Neustädtische Kirchstraße 9/10

Telefon: 120024

Telegrammanschrift: Inland: Düngestickstoff, Aus-  
land: Nitrammon

Stickstoff für technische Zwecke: Der Verkauf er-  
folgt durch das Stickstoff-Syndikat G. m. b. H.,  
Abteilung Stickstoff für technische Zwecke,  
Berlin NW 7, Dorotheenstraße 54

Telefon: 120024

Telegrammanschrift: Syntestick

### Photographische Produkte, Kunstseide, Vistra, Riechstoffe:

I.G. Farbenindustrie Aktiengesellschaft  
Berlin SO 36, Lohmühlenstraße 65-67

Telefon: 680013

Abt. Photographika

Telegrammanschrift: Agfaphoto

Abt. Kunstseide

Telegrammanschrift: Agfaseide

Abt. Aceta-Verkauf

Telegrammanschrift: Acetaseide

Abt. Vistra

Telegrammanschrift: Vistrafaser

Abt. Riechstoffe und Viskoseschwämme

Telegrammanschrift: Agfaodor.

Der Verkauf von Viskose-Kunstseide für Deutschland  
erfolgt durch die

Kunstseide-Verkaufsbüro G. m. b. H., Verkaufs-  
Abt. I.G. Farbenindustrie Aktiengesellschaft,  
Berlin W 35, Tirpitz-Ufer 60 und 62.

Der Verkauf von Kupferkunstseide für Deutschland  
erfolgt durch die

Kupferkunstseide-Syndikat G. m. b. H., Wup-  
pताल-Oberbarmen.

Der Verkauf von Cuprama erfolgt durch die

Cuprama-Spinnfaser Gesellschaft m. b. H., Ver-  
kaufsvereinigung der I.G. Farbenindustrie Ak-  
tiengesellschaft, Frankfurt (Main), J. P. Bem-  
berg Aktiengesellschaft, Wuppताल-Oberbar-  
men, Berlin SO 36, Lohmühlenstraße 65-67.

### Deutsche Kraftstoffe:

Leuna-Benzin, ein ausschließlich aus deutschen Roh-  
stoffen nach dem Hydrierverfahren im Leuna-Werk  
gewonnenes synthetisches Benzin,

Leuna-Gemisch für hochverdichtende Motoren (Ge-  
misch aus Leuna-Benzin und deutschem Benzin),

Leuna-Treibgas, ein Gemisch aus Propan und  
Butan, ein besonders wirtschaftlicher Treibstoff für  
Lastkraftwagen und Omnibusse.

#### Verkauf:

Deutsche Gasolin Aktiengesellschaft, Berlin-  
Charlottenburg 9, Adolf-Hitler-Platz 7-11.

Telefon: 936901

Telegrammanschrift: Dirgasolin,

und an ihren weißroten Zapfsäulen.

Leuna-Propan ist für Koch-, Heiz- und Beleuchtungs-  
zwecke in allen Fällen zu verwenden, in denen Stadt-  
gas nicht verfügbar ist.

Treibstoff-Methanol für Beimischung zu Autotreib-  
stoffen,

Motorenöle für Otto- und Dieselmotoren,

Oppanol zur Verbesserung der Viskosität und Haft-  
fähigkeit von Schmierölen,  
Inhibitoren für Benzin (Stabisol).

#### Verkauf:

I.G. Farbenindustrie Aktiengesellschaft, Abtei-  
lung Oele, Berlin NW 7, Unter den Linden 24 (Haus  
der Schweiz), Telefon: Ortsverkehr 120021, Fern-  
verkehr Sammelnummer 126401, Telegrammanschrift:  
Igesekretariat Oele.

## B. Sales Organisation.

### Dyestuffs and dyeing Auxiliaries:

I.G. Farbenindustrie Aktiengesellschaft,  
Verkaufszentrale Farben, Frankfurt-on-Main 20,  
Grüneburgplatz

Telephone: Local calls 20027, trunk calls 20022

Telegrams: "Igefarben".

### Inorganic and Organic Chemi- cals, Light- and Heavy Metals, Mineral Colours, Plastics and Buna:

I.G. Farbenindustrie Aktiengesellschaft,  
Verkauf Chemikalien, Frankfurt-on-Main 20,  
Grüneburgplatz

Telephone: Local calls 20027, trunk calls 20022

Telegrams: „Sulfur“

### Pharmaceutical and Dental Pre- parations as well as the Products of the Agricultural Department:

Verkaufszentrale

#### »Bayer«

I.G. Farbenindustrie Aktiengesellschaft,  
Leverkusen-I.G. Werk

### Sera, Vaccines and Veterinary Preparations:

#### »Behringwerke«

I.G. Farbenindustrie Aktiengesellschaft,  
Leverkusen-I.G. Werk

Telephone: Local and trunk calls Cologne 61751

Telegrams:

for pharmaceutical preparations:

"Pharma Leverkusenigwerk".

for dental products:

"Bayerdental Leverkusenigwerk".

for products of the agricultural department:

"Pflanzenschutz Leverkusenigwerk".

for Sera, Vaccines and Vet. preparations:

"Behringwerke Leverkusenigwerk".

### Nitrogenous Products.

Nitrogenous fertilizers are sold by the  
Stickstoff-Syndikat G. m. b. H., Berlin NW 7,  
Neustädtische Kirchstr. 9-10

Telephone: 120024

Telegrams: Inland: "Düngestickstoff", Foreign: "Ni-  
trammon".

Nitrogen for technical use is sold by the Stickstoff-  
Syndikat G. m. b. H., Abteilung Stickstoff für  
technische Zwecke, Berlin NW 7, Dorotheenstr. 54

Telephone: 120024

Telegrams: Syntestick.

### Photographic Supplies, Rayon, Vistra, Perfumes:

I.G. Farbenindustrie Aktiengesellschaft,  
Berlin SO 36, Lohmühlenstraße 65-67

Telephone: 680013

Sales Department for photographic supplies

Telegrams: "Agfaphoto".

Sales Department for Rayon

Telegrams: "Agfaseide"

Sales Department for Aceta

Telegrams: "Acetaseide"

Sales Department for Vistra

Telegrams: "Vistrafaser"

Sales Department for Perfumes and Viscose Sponges

Telegrams: "Agfaodor".

Viscose Rayon is sold in Germany by

Kunstseide Verkaufsbüro G. m. b. H., Verkaufs-  
Abteilung I. G. Farbenindustrie Aktiengesellschaft,  
Berlin W 35, Tirpitz-Ufer 60 und 62

Cuprammonium Rayon is sold in Germany by

Kupferkunstseide-Syndikat G. m. b. H., Wuppताल-  
Oberbarmen.

Cuprama is sold by

Cuprama-Spinnfaser-Gesellschaft m. b. H., Verkaufs-  
vereinigung der I. G. Farbenindustrie Aktien-  
gesellschaft Frankfurt-on-Main, J. P. Bemberg  
Aktiengesellschaft, Wuppताल-Oberbarmen, Berlin  
SO 36, Lohmühlenstr. 65-67.

### German Motor Fuels:

Leuna-Petrol, a synthetic petrol made in the Leuna  
works in accordance with the hydration process  
exclusively from German raw-materials.

Leuna Mixture for motors having a high compression  
(a mixture of Leuna-petrol and German benzol)

Leuna propelling gas, a mixture of Propane and  
Butane which is a very economic fuel for trucks and  
omnibuses.

Sold by

Deutsche Gasolin Aktiengesellschaft, Berlin-Char-  
lottenburg 9, Adolf Hitler-Platz 7-11.

Telephone: 936901

Telegrams: "Dirgasolin".

"Leuna-Propane" can be used for cooking, heating  
and lighting purposes in all cases where a municipal  
gas supply does not exist.

The motor fuel "Methanol" serves as an addition to  
motor car fuel.

Motor lubricants for Otto- und Diesel-Engines.

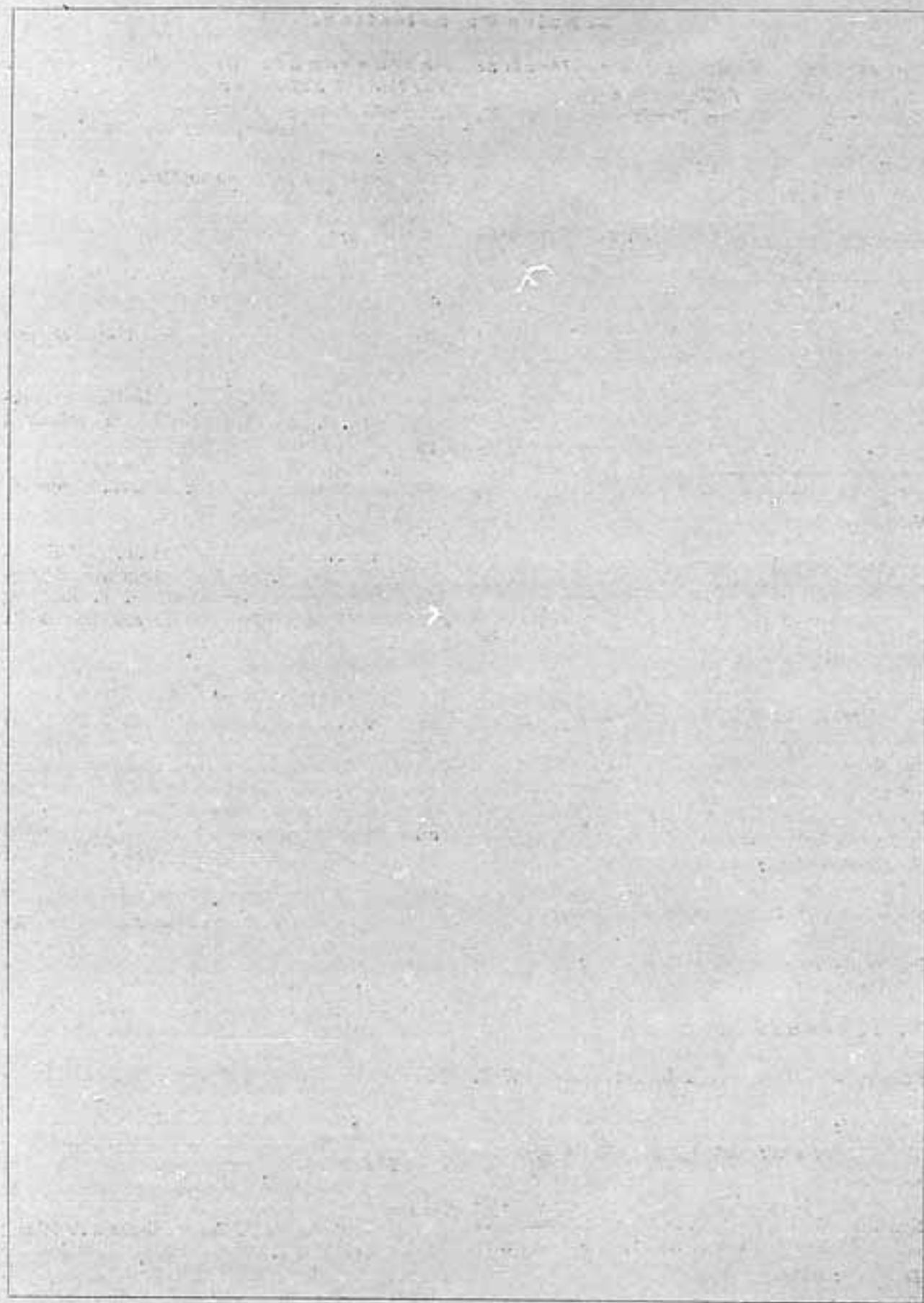
"Oppanol" serves to improve the viscosity and adhe-  
sion of lubricants.

"Inhibitors" for petrol (Stabisol).

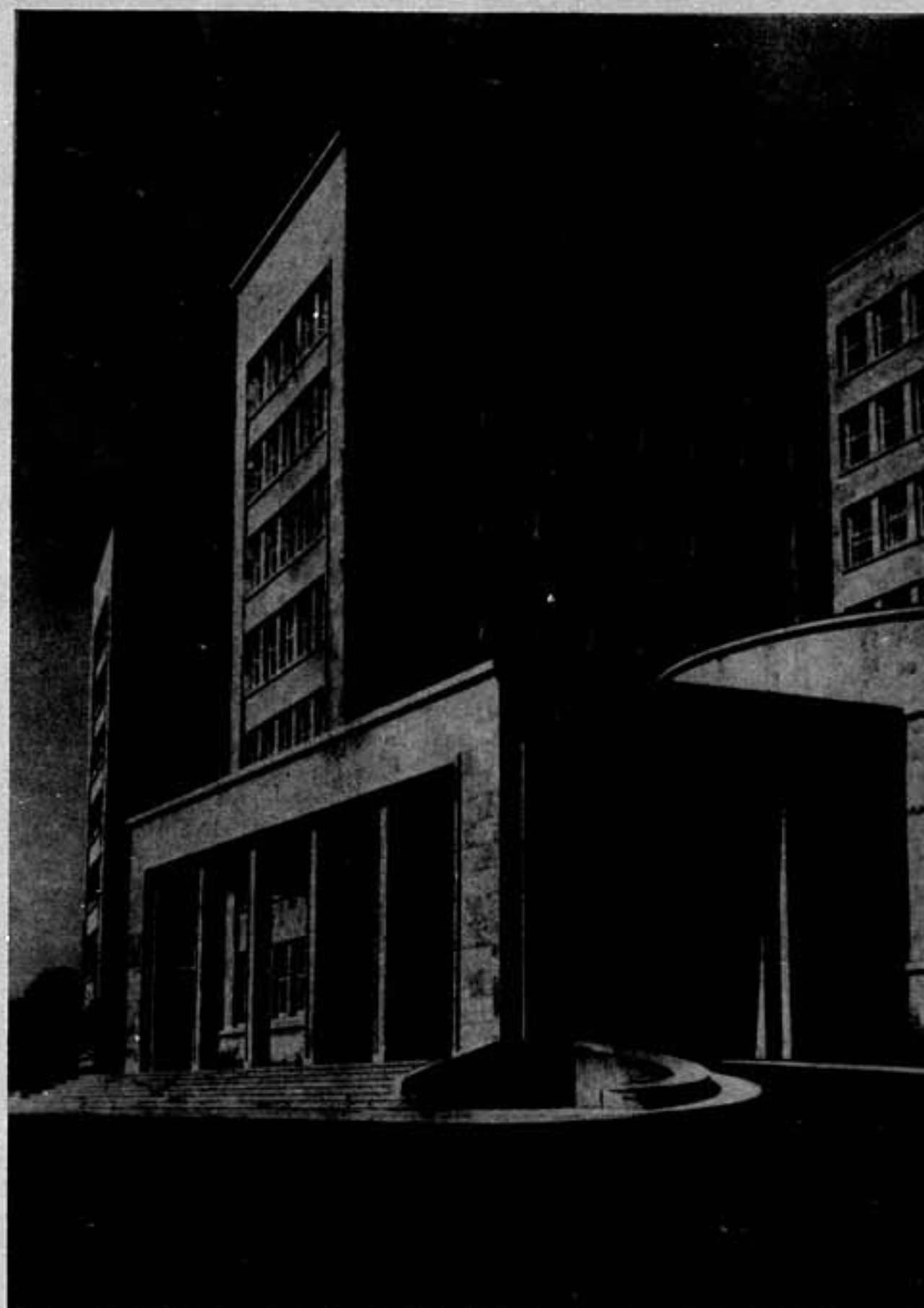
Sold by

I. G. Farbenindustrie Aktiengesellschaft, Abteilung  
Oele, Berlin NW 7, Unter den Linden 24 (Haus der  
Schweiz), Telephone: Local Calls 120021, Trunk calls  
126401, Telegrams: "Igesekretariat Oele".





*Entrance of I.G. Administration building at Frankfort-on-Main*



*Eingang des I.G.-Verwaltungsgebäudes in Frankfurt a. Main*



## C. Zentrale Stellen

**Frankfurt (Main), Grüneburgplatz**  
Telefon: Ortsverkehr 20027, Fernverkehr 20022.  
Tea-Büro (Büro des Technischen Ausschusses),  
Z. A.-Büro (Zentralausschuß-Büro),  
Zentralbuchhaltung,  
Zentralsteuerabteilung,  
Zentralversicherungsabteilung,  
Proko-Büro (Büro der Propaganda-Kommission).

**Ludwigshafen a. Rh.**  
Telefon: 6496.

Zentralstelle der I.G. für Eisenbahnangelegenheiten und  
Kraftwagen-Tarifwesen,  
Zentralstelle für Verträge.

**Berlin NW 7, Unter den Linden 82**

Telefon: 126401.  
Büro des Kaufmännischen Ausschusses,  
Zentralfinanzverwaltung,  
Exportförderungs-Abteilung,  
Wirtschaftspolitische Abteilung,  
Volkswirtschaftliche Abteilung,  
Nachrichtenstelle,  
Vermittlungsstelle W.

**Berlin SO 36, Lohmühlenstraße 65/67**

Telefon: 689631.  
Zentraleinkauf.

## Interessengebiete der I.G.

### 1. Stickstoff, Öle, Gruben

**Ammoniakwerk Merseburg G. m. b. H., Merseburg.**

Gegründet: 1920 unter Übernahme des 1917 errichteten  
Werkes Merseburg.  
Kapital: RM 135.000.000.— Beteiligung: 100%.

**Aktien-Gesellschaft für Stickstoffdünger, Knapsack bei Köln.**

Gegründet: 31. Mai 1906.  
Kapital: RM 8.000.000.— Beteiligung: 100%.  
Beteiligt an Gebr. Wandesleben G. m. b. H., Stromberg  
i. Hunsrück, und Rhein. Elektrodenfabrik G. m. b. H.,  
Köln.  
Dividende ab 1926: 6, 8, 8, 8, 8, 4, 5, 6, 6, 6, 6, 6%.

**Hydrierwerke Pöhlitz Aktiengesellschaft, Pöhlitz (Pommern).**

Gegründet: 27. Januar 1938.  
Kapital: RM 80.000.000.— Beteiligung: 25% = nom.  
RM 20.000.000.—

**Braunkohle-Benzin Aktiengesellschaft, Berlin.**

Gegründet: 26. Oktober 1934.  
Kapital: RM 100.000.000.— Beteiligung: 12,6% = nom.  
RM 12.572.000.—

**Deutsche Gasolin Aktiengesellschaft, Berlin.**

Gegründet: 23. März 1920.  
Kapital: RM 11.000.000.— Beteiligung: 38,86% = nom.  
RM 4.273.980.—

**Braunkohlenwerke Bruckdorf A.G., Halle (Saale).**

Gegründet: 20. Dezember 1933.  
Kapital: RM 2.500.000.— Beteiligung: 85,7%  
= nom. RM 2.143.200.—  
Dividende ab 1934: 0, 0, 0, 0%.

**Deutsche Grube Aktiengesellschaft, Halle (Saale).**

Gegründet: 1. April 1909.  
Kapital: RM 2.500.000.— Beteiligung: 100%.  
Dividende ab 1926: 0, 12, 12, 12, 8, 8, 10, 10, 8, 8, 8, 8%.

**Gewerkschaft Auguste Victoria, Marl-Hüls.**

Kapital: 100 Kuxe. Beteiligung: 100%.

**Rheinische Stahlwerke, Essen.**

Gegründet: 27. Mai 1870.  
Kapital: RM 150.000.000.— Beteiligung: 47,7%  
= nom. RM 71.530.500.—  
Dividende ab 1926/27: 4,5, 6, 6, 7,5, 6, 0, 3, 3, 4, 6, 6, 7%.

**A. Riebeck'sche Montanwerke Aktiengesellschaft, Halle a. S.**

Gegründet: 10. Juni 1883.  
Kapital: RM 50.000.000.— Beteiligung: durch Rhein.  
Stahlwerke, Interessengemeinschaftsvertrag.  
Dividende ab 1926/27: 6, 7,2, 7,2, 7,2+1,2% Bonus,  
7,2, 4,2, 4,2, 4,2, 4,2, 4,2, 4,2, 4,8%.

### 2. Farben, Chemikalien, Pharmazeutika

**Titangesellschaft m. b. H., Leverkusen.**

Kapital: RM 3.000.000.—  
Beteiligung: 50% = nom. RM 1.500.000.—

**Buna-Werke G. m. b. H., Schkopau.**

Gegründet: 15. Februar 1937.  
Kapital: RM 50.000.000.— Beteiligung: 100% über die  
Ammoniakwerk Merseburg G. m. b. H.

**Chemische Werke Hüls G. m. b. H., Marl-Hüls.**

Gegründet: 9. Mai 1938.  
Kapital: RM 30.000.000.— Beteiligung: 74% = nom.  
RM 22.200.000.—

**Duisburger Kupferhütte, Duisburg.**

Gegründet: 1. November 1876.  
Kapital: RM 12.000.000.— Beteiligung: 90,5% = nom.  
RM 10.862.400.—  
Dividende ab 1926: 0, 5, 5, 5, 0, 0, 0, 5, 5, 5, 5, 5%.

**Chemische Werke Aufig-Falkenau G. m. b. H., Dresden.**

Gegründet: 30. November 1938.  
Kapital: RM 10.000.000.— Beteiligung: 50%  
= nom. RM 5.000.000.—

## C. Central Departments.

**Frankfurt-on-Main, Grüneburgplatz**

Telephone: Local calls 20027; Trunk calls 20022  
Tea-Büro (Office of the technical committee)  
Z. A. Büro (Office of the select committee)  
Central-Bookkeeping Department  
Central Tax Department  
Central Insurance Department  
Proko-Büro (Office of the Propaganda Committee)

**Ludwigshafen / Rhine**

Telephone: 6496  
Central Department of I. G. Dyes for Railways and  
motor-car tariffs  
Central Department for Agreements

**Berlin NW 7, Unter den Linden 82**

Telephone: 126401  
Office of the commercial committee  
Central Finance Department  
Department for the fostering of exports  
Department for Economic Policy  
Department for Political Economy  
Press Department  
Department W for mediations

**Berlin SO 36, Lohmühlenstraße 65/67**

Telephone: 689631  
Central Purchasing Department

## Stock Holdings of I. G. Dyes

### 1. Nitrogen, Oil and Mines

**Ammoniakwerk Merseburg G. m. b. H., Merseburg.**

Established in 1920 by taking over the plant at  
Merseburg erected in 1917.  
Capital: RM 135.000.000.— Interest of I. G. Dyes 100%.

**Aktien-Gesellschaft für Stickstoffdünger, Knapsack bei Köln.**

Established on May 31st 1906.  
Capital: RM 8.000.000.— Interest of I. G. Dyes: 100%.  
Interested in Gebrüder Wandesleben G. m. b. H.,  
Stromberg im Hunsrück and Rheinische Elektroden-  
fabrik G. m. b. H., Köln.  
Dividends since 1926: 6, 8, 8, 8, 8, 4, 5, 6, 6, 6, 6, 6%.

**Hydrierwerke Pöhlitz Aktiengesellschaft, Pöhlitz (Pommern).**

Established on January 27th 1938.  
Capital: RM 80.000.000.— Stock holdings of I. G. Dyes:  
25% to the face value of RM 20.000.000.—

**Braunkohle-Benzin Aktiengesellschaft, Berlin.**

Established on October 26th 1934.  
Capital: RM 100.000.000.— Stock holdings of I. G.  
Dyes: 12,6% to the face value of RM 12.572.000.—

**Deutsche Gasolin Aktiengesellschaft, Berlin**

Established on March 23rd 1920.  
Capital: RM 11.000.000.— Stock holdings of I. G.  
Dyes: 38,86% to the face value of RM 4.273.980.—

**Braunkohlenwerke Bruckdorf A.G., Halle (Saale).**

Established on December 20th 1933.  
Capital: RM 2.500.000.— Stock holdings of I. G.  
Dyes: 85,7% to the face value of RM 2.143.200.—  
Dividends since 1934: 0, 0, 0, 0%.

**Deutsche Grube Aktiengesellschaft, Halle (Saale).**

Established on April 1st 1909.  
Capital: RM 2.500.000.— Stock holdings of I. G.  
Dyes: 100%.  
Dividends since 1926: 0, 12, 12, 12, 8, 8, 10, 10, 8, 8,  
8, 8%.

**Gewerkschaft Auguste Victoria, Marl-Hüls**

Capital: 100 mine actions. Interest of I. G. Dyes: 100%.

**Rheinische Stahlwerke, Essen.**

Established on May 27th 1870.  
Capital: RM 150.000.000.— Interest of I. G. Dyes:  
47,7% to the face value of RM 71.530.500.—  
Dividends since 1926/27: 4,5, 6, 6, 7,5, 6, 0, 3, 3,5,  
4, 6, 6, 7%.

**A. Riebeck'sche Montanwerke Aktiengesellschaft, Halle (Saale).**

Established on June 10th 1883.  
Capital: RM 50.000.000.— Interest of I. G. Dyes:  
Through Rheinische Stahlwerke, agreement on the  
"community of interests".  
Dividends since 1926/27: 6, 7,2, 7,2, 7,2 + bonus of  
1,2%, 7,2, 4,2, 4,2, 4,2, 4,2, 4,2, 4,2, 4,8%.

### 2. Dyestuffs, Chemicals, Pharmaceuticals.

**Titangesellschaft m. b. H., Leverkusen.**

Capital: RM 3.000.000.— Interest of I. G. Dyes: 50%  
to the face value of RM 1.500.000.—

**Buna-Werke G. m. b. H., Schkopau.**

Established on February 15th 1937.  
Capital: RM 50.000.000.— Interest of I. G. Dyes: 100%  
through Ammoniakwerk Merseburg G. m. b. H.

**Chemische Werke Hüls G. m. b. H., Marl-Hüls.**

Established on May 9th 1938.  
Capital: RM 30.000.000.— Interest of I. G. Dyes: 74%  
to the face value of RM 22.200.000.—

**Duisburger Kupferhütte, Duisburg.**

Established on November 1st 1876.  
Capital: RM 12.000.000.— Interest of I. G. Dyes:  
90,5% to the face value of RM 10.862.400.—  
Dividends since 1926: 0, 5, 5, 5, 0, 0, 0, 5, 5, 5,  
5, 5%.

**Chemische Werke Aufig-Falkenau G. m. b. H., Dresden.**

Established on November 30th 1938.  
Capital: RM 10.000.000.— Interest of I. G. Dyes:  
50% to the face value of RM 5.000.000.—







55



## Interessengemeinschafts- und Dividendengarantieverträge

### Dynamit-Actien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf.

Der Vertrag beginnt rückwirkend mit dem 1. Januar 1926 und endet mit dem 31. Dezember 2024. Die Rheinisch-Westfälische Sprengstoff-Aktien-Gesellschaft, Köln, und die Aktien-Gesellschaft Siegener Dynamit-Fabrik, Köln, mit denen im Jahre 1926 entsprechende Interessengemeinschaftsverträge abgeschlossen worden waren, sind im Jahre 1931 durch Verschmelzung in der D.A.G. aufgegangen.

Der auf Grund einer besonderen Vorbilanz, für die gewisse Mindestabschreibungen garantiert sind, errechnete Gewinn und Verlust eines jeden Geschäftsjahres der Nobel-Gesellschaft wird der I.G. gutgeschrieben oder belastet; die I.G. vergütet ihr dagegen denjenigen Betrag, der erforderlich ist, um auf die Stammaktien der Nobel-Gesellschaft eine Dividende in Höhe der halben Stammaktiendividende der I.G. verteilen zu können. Sollte sich bei der I.G. nach Übertragung des Gewinns oder des Verlustes der Nobel-Gesellschaft ein Bilanzverlust ergeben, so wird er auf die Nobel-Gesellschaft in dem gleichen Verhältnis verteilt wie die sich nach dem angegebenen Schlüssel errechnete Dividendensumme.

Räumt die I.G. ihren Aktionären im Falle einer Kapitalerhöhung ein Bezugsrecht ein, so ist auch den Aktionären der Nobel-Gesellschaft ein Bezugsrecht auf I.G.-Aktien zu den gleichen Bedingungen einzuräumen, mit der Maßgabe, daß auf RM 200.— Aktien der Nobel-Gesellschaft halb so viel neue I.G.-Aktien entfallen wie auf den gleichen Nennwert alte I.G.-Aktien.

Die I.G. kann jederzeit erklären, das Vermögen der Nobel-Gesellschaft in dem angegebenen Verhältnis im ganzen durch Verschmelzung übernehmen zu wollen. Lehnt die Hauptversammlung der Nobel-Gesellschaft die Verschmelzung ab, so ist die I.G. berechtigt, den Vertrag zum Schluß des laufenden Geschäftsjahres zu kündigen. In diesem Fall kann die I.G., gleichviel ob sie von ihrem Kündigungsrecht Gebrauch macht oder nicht, verlangen, daß ihr die am Schluß des alsdann laufenden Geschäftsjahres vorhandenen Liegenschaften, Gebäude, Apparate und Beteiligungen oder der von der I.G. nach freiem Ermessen zu bestimmende Teil dieser Gegenstände zum Buchwert der letzten Bilanz überlassen wird.

Vom 1. Januar 1937 ab hat jeder einzelne Aktionär der Nobel-Gesellschaft das Recht, den Umtausch seiner Aktien in dem oben angegebenen Verhältnis in I.G.-Aktien zu verlangen. Das gleiche Umtauschrecht steht den Einzelaktionären auch dann zu, wenn der vorstehende Vertrag aus irgendeinem Grunde aufgehoben oder abgeändert werden sollte.

### Deutsche Celluloid-Fabrik Aktiengesellschaft, Eilenburg.

Die Köln-Rottweil Aktiengesellschaft, Berlin, hatte unterm 27. Oktober 1922 einen Anschlußvertrag mit der Deutschen Celluloid-Fabrik A.G., Eilenburg, abgeschlossen. In diesen Vertrag ist die I.G. am 30. August 1926 eingetreten.

Die I.G. garantiert Eilenburg eine Dividende auf ihr jeweiliges Aktienkapital in Höhe der Hälfte der Stammaktiendividende der I.G.

### A. Riebeck'sche Montanwerke A.-G., Halle (Saale).

Der Vertrag ist abgeschlossen am 14. Oktober 1926, und zwar rückwirkend ab 1. April 1925 bis 31. März 2023.

Beide Gesellschaften behalten ihre volle rechtliche Selbständigkeit.

Die I.G. garantiert den Riebeck-Aktionären  $\frac{1}{10}$  des Prozentsatzes, den die I.G. als Dividende verteilt.

Die I.G. hat jederzeit das Recht, die Übernahme des Vermögens als Ganzes im Verhältnis RM 100.— Riebeck- zu RM 60.— I.G.-Aktien zu verlangen. Dagegen hat jeder Riebeck-Aktionär ab 1. April 1930 das Recht, den Umtausch der Riebeck-Aktien in gleichem Verhältnis zu verlangen.

Bei Neu-Emission von Aktien wird die I.G. den Riebeck-Aktionären ein entsprechendes Bezugsrecht einräumen.

Das Recht, den Umtausch der Aktien in dem angegebenen Verhältnis zu verlangen, steht den Aktionären der A. Riebeck'schen Montanwerke während der Dauer des Interessengemeinschaftsvertrages zu. Wird der Vertrag aus irgendeinem Grunde aufgehoben und macht die I.G. alsdann von ihrem Recht Gebrauch, die bei der Vertragsauflösung vorhandenen Kohlen-Abbau-Gerechtigkeiten und das Bergwerkseigentum, die Liegenschaften, Wohngebäude, Betriebsanlagen, Maschinen, Betriebseinrichtungen und Beteiligungen ganz oder zum Teil zum Buchwert der letzten Bilanz zu übernehmen, so steht auch in diesem Fall den Aktionären der A. Riebeck'schen Montanwerke Aktiengesellschaft das erwähnte Umtauschrecht zu.

### Internationale Gesellschaft für Chemische Unternehmungen A.-G., Basel (I.G. Chemie).

Mit der Internationalen Gesellschaft für Chemische Unternehmungen A.-G., Basel (I.G. Chemie), wurde am 15./16. Mai 1929 ein Dividendengarantievertrag abgeschlossen. Darnach garantiert die I.G. Farbenindustrie Aktiengesellschaft der I.G. Chemie, Basel, für deren Stammaktien eine Dividende in der Höhe desjenigen Dividendensatzes, den die I.G. Farbenindustrie Aktiengesellschaft für das gleiche Geschäftsjahr auf ihre Stammaktien ohne Abzug der Kapitalertragsteuer in Goldmark verteilt. Solange das Stammaktienkapital der I.G. Chemie, Basel, nicht voll einbezahlt ist, gilt die Dividende als in der Weise garantiert, daß von dem der Dividende der I.G. Farbenindustrie Aktiengesellschaft für voll einbezahlte Aktien entsprechenden Frankenbetrage 5% des nicht einbezählten Betrages, berechnet vom Beginn des Geschäftsjahres ab pro rata temporis, abgezogen werden. Übersteigt während der Dauer der Garantie der verteilbare Reingewinn der I.G. Chemie den zur Verteilung der garantierten Dividende erforderlichen Betrag, so wird dieser Mehrgewinn einem Dividenden-Ergänzungsfonds solange gutgeschrieben, als dieser nicht 20% des Stammaktienkapitals erreicht hat. Erreicht in einem Jahre das erzielte Ergebnis nicht den zur Verteilung der garantierten Dividende erforderlichen Betrag, so kann die I.G. Farbenindustrie Aktiengesellschaft die Erfüllung ihrer Garantieverpflichtung so lange verweigern, als die I.G. Chemie in der Lage ist, den Fehlbetrag aus dem Dividenden-Ergänzungsfonds zu decken. Sollte die I.G. Farbenindustrie Aktiengesellschaft während der Dauer des

## Agreement covering community of interests and guaranties for dividends.

### Dynamit Aktiengesellschaft vorm. Alfred Nobel & Co., Troisdorf.

The contract redates to January 1, 1926, and ends December 31, 2024. The Rheinisch-Westfälische-Sprengstoff-Aktiengesellschaft, Cologne, and the Aktiengesellschaft Siegener Dynamit-Fabrik, Cologne, both with whom "Community of interest" agreements had been contracted in 1926 have been amalgamated with the D. A. G. in 1931.

Yearly gains and losses, calculated on the basis of a special preliminary balance-sheet, are credited or debited on account of the Nobel-Gesellschaft. The I. G. on the other hand repays to the Nobel-Gesellschaft the amount necessary to distribute for the original shares of the Nobel-Gesellschaft dividends half as high as the ordinary shares dividends of the I. G. If the I. G. after having transferred gains or losses of the Nobel-Gesellschaft would show a balance-loss this will be attributed to the Nobel-Gesellschaft in the same proportion as the sum of dividends calculated in the above mentioned way.

If the I. G. gives its shareholders a right of option in case of an increase of capital, the shareholders of the Nobel-Gesellschaft have the same right regarding I. G. shares for equal conditions: to RM 200.— shares of the Nobel-Gesellschaft there correspond half as many new I. G. shares as old I. G. shares to the same amount.

At any time the I. G. may declare that it would generally assume the assets of the Nobel-Gesellschaft in the named proportion by amalgamation. If the General Assembly of the Nobel-Gesellschaft refuses the amalgamation the I. G. will have the right to call up the contract at the end of the year. In this case the I. G., whether it makes use of its privilege to give notice of termination or not, may demand that at the end of the current year all landed properties, buildings, apparatuses, or interest or part of them (which part is fixed at the discretion of the I. G.) are left to the I. G. for the net book value of the last balance.

Dating from January 1, 1937, each shareholder of the Nobel-Gesellschaft has the right of demanding to convert the shares into I. G. shares in the above mentioned proportion. They have the same right if this contract would be cancelled or altered by any reason.

### Deutsche Celluloid-Fabrik Aktiengesellschaft, Eilenburg.

October 27, 1922, the Köln-Rottweil Aktiengesellschaft, Berlin, had contracted an "Agreement of joining" (Anschlußvertrag) with the Deutsche Celluloid-Fabrik A. G., Eilenburg. August 30, 1926, the I. G. entered that agreement.

The I. G. guarantees Eilenburg a dividend for its share-capital half as high as the original dividend of the I. G.

### A. Riebeck'sche Montanwerke A. G., Halle/Saale.

The agreement was contracted October 14, 1926, redating from April 1, 1925, till March 31, 2023.

Both partners retain their full legal independency.

The I. G. guarantees to the Riebeck shareholders six tenths of the percentage distributed as dividends by the I. G.

The I. G. is privileged at any time to demand all assets in the proportion of RM 100.— Riebeck shares to RM 60.— I. G. shares. On the other hand each Riebeck shareholder is privileged from April 1, 1930, to demand the exchange of the Riebeck shares in the same proportion.

If shares are newly issued the I. G. will correspondingly grant preemption to the Riebeck-shareholders.

The right of demanding exchange of shares in the above mentioned proportion will belong to the shareholders of the Riebeck'sche Montanwerke as long as the "Community of interest" agreement will last. They will have the same right if the contract would be cancelled by any reason and if the I. G. consequently would make use of its right to take over the then existing mining franchise, mining property, landed property, buildings, plants, machines, settings, and shares, wholly or partly for the book-value of the balance.

### Internationale Gesellschaft für chemische Unternehmungen A. G., Basle (I. G. Chemie).

On May 15/16, 1929, an "agreement for guaranteeing dividends" (Dividendengarantievertrag) was reached with the Internationale Gesellschaft für chemische Unternehmungen A. G., Basle (I. G. Chemie). According to that agreement the I. G. Farbenindustrie Aktiengesellschaft gives a guarantee that it will distribute to the I. G. Chemie Basle for the latter's original shares a dividend as high as the one which the I. G. Farbenindustrie A. G. may distribute for its own original shares in gold-marks without deduction of the capital yield tax in the same year. As long as original shares of the I. G. Chemie Basle will not be totally paid the dividends are considered as guaranteed in the way that 5% of the unpaid amount (reckoned from the beginning of the fiscal year pro rata temporis) may be deducted from the sum of francs which corresponds to the dividend of the I. G. Farbenindustrie Aktiengesellschaft on fully paid shares. If during the guaranteed time the allocable net profit of the I. G. Chemie Basle surmounts the sum necessary for the distribution of guaranteed dividend, this surplus profit will be credited to a "supplementary dividend-fund" (Dividendenergänzungsfonds) as long as that fund has not reached 20% of the original share-capital. If in one year the result does not reach the amount necessary for the distribution of the guaranteed dividend, the I. G. Farbenindustrie A. G. may refuse its guarantee-obligations as long as the I. G. Chemie will be able to defray the shortage from the supplementary "dividend-fund" (Dividendenergänzungsfonds). If during the time of the guarantee-contract the I. G. Farbenindustrie Aktiengesellschaft should grant to its original-shareholders a right of option or another privilege beyond the dividend



it will be bound to grant the same to original shareholders of the I.G. Chemie Basle in a similar way (Original-shares of I.G. Chemie nom. 500.— Swiss Francs correspond to preemptions or other privileges of original shares of I.G. Farbenindustrie Aktiengesellschaft nom. RM 400.—). The guarantee of the I.G. Farbenindustrie Aktiengesellschaft has been given for the time of existence of the I.G. Chemie Basle. But the I.G. Farbenindustrie Aktiengesellschaft is entitled to call-up its guarantee three months before the end of the commercial year, not earlier than December 31, 1938. If notice of termination is applied, each original shareholder of the I.G. Chemie Basle has an irrevocable claim towards the I.G. Farbenindustrie Aktiengesellschaft to exchange its shares for original shares of the I.G. Farbenindustrie Aktiengesellschaft (proportion:

nom. 500.— Swiss Francs of I.G. Chemie corresponding to nom. RM. 400.— shares of I.G. Farbenindustrie Aktiengesellschaft); that claim will last till June 30th of the year following the end of the guarantee. The above mentioned notice of termination can only be declared if it is a resolution of the General Assembly of the I.G. Farbenindustrie Aktiengesellschaft and if that Assembly simultaneously permits the increase of its original share-capital which may be necessary. The I.G. Chemie, Basle, has granted to the I.G. Farbenindustrie A.G. the option of requiring at any time (repeatedly, too) the total or partly cession of participations and effects at book-value and simultaneous payment of those amounts which may have accumulated on the account called "reserved for participations and effects".

Garantievertrages ihren Stammaktionären ein Bezugsrecht einräumen oder ihnen außer der Dividende eine sonstige Vergünstigung zukommen lassen, so ist sie verpflichtet, die Besitzer von Stammaktien der I.G. Chemie, Basle, in sinngemäßer Weise zu berücksichtigen. (Auf Schweizer Franken 500.— nom. Stammaktien der I.G. Chemie entfällt der Wert von Bezugsrechten bzw. Vergünstigungen auf Reichsmark 400.— nom. Stammaktien der I.G. Farbenindustrie Aktiengesellschaft.) Die Garantie der I.G. Farbenindustrie Aktiengesellschaft ist erteilt worden für die Dauer des Bestehens der I.G. Chemie, Basle. Jedoch ist die I.G. Farbenindustrie Aktiengesellschaft berechtigt, ihre Garantie mit einer Frist von drei Monaten zum Ende eines Geschäftsjahres, frühestens zum 31. Dezember 1938, zu kündigen. Im Falle der Kündigung hat jeder Besitzer von Stammaktien der I.G. Chemie, Basle, bis zum 30. Juni des auf den Ablauf

der Garantie folgenden Jahres einen unentziehbaren Anspruch gegenüber der I.G. Farbenindustrie Aktiengesellschaft auf Umtausch seiner Aktien in Stammaktien der I.G. Farbenindustrie Aktiengesellschaft in dem Verhältnis nom. Fr. 500.— Stammaktien I.G. Chemie zu nom. RM 400.— Stammaktien I.G. Farbenindustrie Aktiengesellschaft. Die erwähnte Kündigung kann nur ausgesprochen werden auf Grund eines Beschlusses der Hauptversammlung der I.G. Farbenindustrie Aktiengesellschaft, der gleichzeitig die etwa erforderliche Erhöhung ihres Stammaktienkapitals genehmigt. — Die I.G. Chemie, Basle, hat der I.G. Farbenindustrie Aktiengesellschaft die Option eingeräumt, jederzeit, auch wiederholt, ganz oder teilweise die Überlassung der Beteiligungen und Effekten zum Buchwert und die gleichzeitige Herauszahlung der auf dem Konto „Rückstellung für Beteiligungen und Effekten“ etwa angesammelten Beträge zu fordern.





## Vereinbarungen auf wichtigen Produktionsgebieten

### 1. Stickstoff:

#### Norsk Hydro-Elektrisk Kvælstofaktieselskab, Oslo.

Im Jahre 1927 wurde ein Abkommen getroffen über ein Zusammengehen auf technischem und kaufmännischem Gebiet, insbesondere über den Ausbau der norwegischen Stickstoffwerke, wodurch die Gesellschaft in der Lage ist, ihre günstige Wasserkraft besser auszunutzen als bisher.

#### Stickstoff-Syndikat G. m. b. H., Berlin.

Das am 1. Juli 1930 erneuerte Stickstoff-Syndikat wurde durch Beischluß aller deutschen Außenseiter im Januar 1934 auf eine neue Basis gestellt. Das neue Syndikat, dessen Dauer zunächst bis 1940 in Aussicht genommen ist, vereinigt nunmehr die gesamte deutsche Stickstoffherzeugung. Es ist dies:

1. die Gruppe der I. G. Farbenindustrie Aktiengesellschaft,
2. die Gruppe der Deutschen Ammoniak-Verkaufs-Vereinigung G. m. b. H. (welcher die Bergwerks-Gesellschaft Hibernia A. G., Herne/W., die Ruhrchemie Aktiengesellschaft, Oberhausen-Holtent, sowie die westdeutschen Kokereien angeschlossen sind),
3. die Kalkstickstoff-Gruppe (die Bayerische Stickstoffwerke Aktiengesellschaft, die Bayerische Kraft-

werke Aktiengesellschaft, die der I. G. nahestehende Aktiengesellschaft für Stickstoffdünger in Knapsack, die Lonza-Werke Elektrochemische Gesellschaft m. b. H. sowie die Gräflich Schaffgotsch'sche Werke G. m. b. H.),

4. die Bergbau Aktiengesellschaft Ewald-König Ludwig,
5. die Schering A. G., welche über die Stickstoffherzeugung der ostdeutschen Kokereien verfügt,
6. die Wirtschaftliche Vereinigung der deutschen Gaswerke Gaskoksyndikat A. G.,
7. die Klöckner-Gruppe (Gewerkschaft Victor und Klöckner-Werke A. G.),
8. einige Kokereien, die den genannten Gruppen nicht angeschlossen sind.

Für das Verhältnis der Beteiligung am Absatz des Syndikats sind Kontingente maßgebend, die auf Grund der Erzeugungskapazitäten festgesetzt sind.

Die Kontingente betragen für:

tN

1. I. G. Farbenindustrie Aktiengesellschaft (synthetisches Kontingent) ..... 861 393
2. Deutsche Ammoniak-Verkaufs-Vereinigung Gesellschaft mit beschränkter Haftung:

## Agreements on important sectors of productions

### 1. Nitrogen:

#### Norsk Hydro-Elektrisk Kvælstofaktieselskab, Oslo

In 1927 an agreement was reached regarding the technical and commercial branch, especially the improvement of the Norwegian Nitrogen works, which would enable the above mentioned firm to make better use of its favourable water-powers.

#### Stickstoffsyndikat G. m. b. H., Berlin.

The Nitrogen-Syndicate renewed on July 1st 1930, was put on a new basis in January 1934 by the entrance of all German outsiders into the syndicate. The new syndicate the duration of which is proposed until 1940 unites the whole German production of nitrogen. It consists of:

1. the group of the I. G. Farbenindustrie Aktiengesellschaft,
2. the group of the Deutsche-Ammoniak-Verkaufs-Vereinigung G. m. b. H. (incl. the Bergwerks-Gesellschaft "Hibernia" A. G., Herne W., the Ruhr-Chemie A. G., Oberhausen-Holtent, as well as the West German cokeries),
3. the Cyanamid-group, (Bayrische Stickstoffwerke Aktiengesellschaft, Bayrische Kraftwerke-Aktiengesell-

schaft, Aktiengesellschaft für Stickstoffdünger in Knapsack, on friendly terms with the I. G., Lonza-Werke Elektrochemische Gesellschaft m. b. H., Gräfliche Schaffgotsch'sche Werke G. m. b. H.),

4. the Bergbau-Aktiengesellschaft Ewald-König Ludwig,
5. the Schering A. G. which controls the nitrogen production in the East German cokeries,
6. the Wirtschaftliche Vereinigung der deutschen Gaswerke Gaskoksyndikat A. G.,
7. the Klöckner-group (Gewerkschaft Victor & Klöckner-Werke A. G.),
8. some cokeries not associated with the above mentioned groups.

The participation in the syndicate's sales are regulated by contingents which are fixed according to the production capacities.

The contingents are for:

tN

- (1) I. G. Farbenindustrie A. G., synthetic-contingent ..... 861 393
- (2) Deutsche Ammoniak-Verkaufs-Vereinigung G. m. b. H.:





a) synthetic-contingent .....	132 259
b) contingent of cokeries .....	131 441
3a. Bayerische Stickstoff-Werke Aktiengesellschaft (Cyanamid-contingent) .....	55 079
3b. Bayerische Kraftwerke Aktiengesellschaft (Cyanamid-contingent) .....	35 330
4. Aktiengesellschaft für Stickstoff-Dünger (Cyanamid-contingent) .....	23 027
5. Bergbau-Aktiengesellschaft Ewald-König Ludwig (synthetic-contingent) .....	32 702
6. Schering A.-G. simultaneously for the Borsig-Kokswerke A.-G., Borsigwerk O/S, Preußische Bergwerke u. Hütten A.-G., Berlin branch, Steinkohlen-Bergwerk Hindenburg O/S and Vereinigte Oberschlesische Hüttenwerke A.-G., Gleiwitz (for the cokery Julenhütte) (cokery-contingent) .....	12 298
7. Wirtschaftliche Vereinigung Deutscher Gaswerke, Gaskokssyndikat, Aktiengesellschaft (cokery-contingent) .....	19 152
8. Lonza-Werke Elektrochemische Gesellschaft m. b. H., (Cyanamid-contingent) .....	14 533
9. Gräfliche Schaffgotsch'sche Werke G. m. b. H., a) Cyanamid-contingent .....	1 993
b) cokery-contingent .....	2 450
10. Gewerkschaft Victor Stickstoff-Werke (synthetic-contingent) .....	53 430
11. Klöckner-Werke Aktiengesellschaft (cokery-contingent) .....	5 591
12. Dessauer-Werke Aktiengesellschaft für Zucker und Chemische Industrie (cokery-contingent) .....	400
13. Kokerei-Vereinigung G. m. b. H., (cokery-contingent) .....	675
14. Deutsche Erdöl-Aktiengesellschaft Schwelwerke Rositz (cokery-contingent) ...	575

In addition, producers of nitrogen being a by-product of the hydrogenation of coal or of another procedure of petrol or oils from coal (so-called hydrated-nitrogen-manufacturers) receive a contingent measuring according to the yearly amount of nitrogen as far as it was used for finished products.

The cokeries and gasworks are granted a right for privileged sale of nitrogenous compounds gained as by-products on their premises according to the total sale of those products.

The privileged sale is debited to those members of the syndicate who manufacture synthetic ammonia, certain equivalences are taken into consideration.

The sale of all nitrogenous fertilizers in this country and abroad is principally reserved to the Stickstoff-Syndikat. Only a limited sale by the single members

is allowed for the agricultural business. The nitrogen products for technical purposes are also sold by the syndicate.

## Imperial Chemical Industries Ltd. — I. G. or Stickstoff-Syndikat, respectively.

In February 1930 a nitrogen-agreement was contracted between the I. C. I. and the I. G. for 10 years. This contract regulates the production, the sale (contingents), the commercial organisation etc. of nitrogen in all parts of the world, except North America. Consequently, similar agreements were reached between the I. C. I. and the German nitrogen-syndicate.

## 2. Hydrogenation

In 1927 an understanding was reached between the I. G. and the Standard Oil Company of New-Jersey regarding the application of the I. G. procedure for manufacturing crude-oil in the U. S. A. A main reason for the understanding was the possibility to manufacture heavy crude-oils and crude-oil residues. Because the interest for the oil production from coal and tar increased in the world, that understanding was extended in 1924 to a co-operation in the whole sphere of hydrating oil, coal, and tar for the whole world except Germany. This co-operation is carried through in the commonly founded Standard-I. G. Company and some associated firms, such as Hydro-Patents Co. and Int. Hydrogenation Patents Co. Ltd. It is by those firms that the procedures are licensed in the whole world and that technical advice is given to the licence-holders. In the U. S. A. most firms of the oil industry have joined. Moreover, in 1931 a technical co-operation was installed with the I. C. I. in the sphere of hydrogenation; the I. C. I. consequently built a hydrogenic factory for pit-coal.

The use of the hydrogenic procedure in Germany has been reserved only for the I. G. A special agreement regarding national interests was reached for the sale of petrol manufactured in the Leuna-works on the German market. A great number of German works which produce petrol on the pit-coal or brown-coal basis within the Four-Years-Plan are working by the "high-pressure-method" of the I. G. according to a contract of licence.

## 3. Artificial silk

### Viscose-Kunstseide-Syndikat.

The most important German, Dutch, Italian, and Swiss producers of Viscose-silk are the firms:

Vereinigte Glanzstoff-Fabriken A.-G., Wuppertal-Elberfeld;

Glanzstoff-Courtaulds G. m. b. H., Köln;

I. G. Farbenindustrie Aktiengesellschaft, Frankfurt-Main;

a) synthetisches Kontingent .....	132 259
b) Kokereikontingent .....	131 441
3a. Bayerische Stickstoff-Werke Aktiengesellschaft (Kalkstickstoffkontingent) .....	55 079
3b. Bayerische Kraftwerke Aktiengesellschaft (Kalkstickstoffkontingent) .....	35 330
4. Aktiengesellschaft für Stickstoffdünger (Kalkstickstoffkontingent) .....	23 027
5. Bergbau-Aktiengesellschaft Ewald-König Ludwig (synthetisches Kontingent) .....	32 702
6. Schering A. G., gleichzeitig für die Borsig-Kokswerke A.-G. zu Borsigwerk O/S., Preußische Bergwerks- und Hütten-A.-G. zu Berlin — Zweigniederlassung Steinkohlen-Bergwerk Hindenburg O/S. und die Vereinigte Oberschlesische Hüttenwerke A.-G. zu Gleiwitz (für Kokerei Julenhütte) (Kokereikontingent) .....	12 298
7. Wirtschaftliche Vereinigung Deutscher Gaswerke, Gaskokssyndikat, Aktiengesellschaft (Kokereikontingent) .....	19 152
8. Lonza-Werke Elektrochemische Gesellschaft mit beschränkter Haftung (Kalkstickstoffkontingent) .....	14 533
9. Gräflich Schaffgotsch'sche Werke Gesellschaft mit beschränkter Haftung: a) Kalkstickstoffkontingent .....	1 993
b) Kokereikontingent .....	2 450
10. Gewerkschaft Victor Stickstoffwerke (synthetisches Kontingent) .....	53 430
11. Klöckner-Werke Aktiengesellschaft (Kokereikontingent) .....	5 591
12. Dessauer Werke für Zucker- und Chemische Industrie Aktiengesellschaft (Kokereikontingent) .....	400
13. Kokerei-Vereinigung Gesellschaft mit beschränkter Haftung (Kokereikontingent) .....	675
14. Deutsche Erdöl-Aktiengesellschaft Schwelwerke Rositz (Kokereikontingent) ..	575

Außerdem erhalten Erzeuger von Stickstoff, der als Nebenerzeugnis bei der Kohle-Hydrierung oder einer sonstigen Gewinnung von Benzin oder Ölen aus Kohle anfällt (Hydrierstickstoff-Hersteller), ein Kontingent (Hydrierkontingent), das sich nach dem jährlichen tatsächlichen Anfall an Stickstoff bemisst, soweit dieser auf Fertigprodukte verarbeitet ist.

Den Kokereien und Gasanstalten wird ein Recht auf bevorzugten Absatz der auf ihren Anlagen als Nebenprodukt gewonnenen stickstoffhaltigen Verbindungen im Rahmen des Gesamtabsatzes dieser Produkte gewährt. Der bevorzugte Absatz geht zu Lasten der Syndikats-Gesellschafter, die Ammoniak auf synthetischem Wege herstellen, wofür bestimmte Gegenleistungen vorgesehen sind.

Der Verkauf aller stickstoffhaltigen Düngemittel im In- und Ausland ist grundsätzlich dem Stickstoff-Syndikat vorbehalten. Ein Verkauf durch die einzelnen Gesellschafter findet nur in beschränktem Umfang im Landabsatz statt.

Auch die Stickstofferzeugnisse für technische Verwendungszwecke (wie z. B. Salmiakgeist, Salpetersäure, Ammonnitrat) werden durch das Syndikat verkauft.

## Imperial Chemical Industries Ltd.—I. G. bzw. Stickstoff-Syndikat.

Im Februar 1930 wurde zwischen der I. C. I. und der I. G. ein Stickstoffvertrag abgeschlossen, der für die Dauer von zehn Jahren die Herstellung, den Verkauf (Kontingente), die Verkaufsorganisation usw. von Stickstoff in allen Teilen der Welt mit Ausnahme des nordamerikanischen Kontinents regelt. Im Anschluß hieran sind ähnliche Absprachen zwischen der I. C. I. und dem deutschen Stickstoff-Syndikat abgeschlossen worden.

## 2. Hydrierung:

Im Jahre 1927 kam es zu einer Verständigung zwischen der I. G. und der Standard Oil Company of New Jersey über die Anwendung des I. G.-Verfahrens zur Verarbeitung von Rohöl in den Vereinigten Staaten von Amerika. Sie erfolgte vor allem auch im Hinblick auf die Möglichkeit, mittels des I. G.-Verfahrens schwere Rohöle und Rohölrückstände zu verarbeiten. Da die Herstellung von Öl aus Kohle und Teer in der Welt steigendes Interesse fand, wurde diese Verständigung 1929 zu einer Zusammenarbeit auf dem ganzen Gebiet der Hydrierung von Öl, Kohle und Teer für die ganze Welt, mit Ausnahme von Deutschland, erweitert. Diese Zusammenarbeit wird in der gemeinschaftlich gegründeten Standard-I. G. Co. und einigen angeschlossenen Gesellschaften, wie der Hydro-Patents Co. und der International Hydrogenation Patents Co., Ltd., geleistet, von denen aus die Verfahren in der ganzen Welt lizenziert werden und den Lizenznehmern technische Beratung gewährt wird. In den Vereinigten Staaten hat sich der überwiegende Teil der Ölindustrie angeschlossen. 1931 wurde noch eine technische Zusammenarbeit mit der Imperial Chemical Industries Ltd. auf dem Hydriergelände eingeleitet, in deren Verfolg die I. C. I. auch eine Steinkohlen-Hydrieranlage errichtete.

Die Verwertung des Hydrierverfahrens in Deutschland hat sich die I. G. allein vorbehalten. Für den Absatz des von ihr im Leuna-Werk hergestellten Benzins auf dem deutschen Markt ist eine Sondervereinbarung getroffen worden, welche die nationalen Interessen wahrt. Eine große Anzahl der deutschen Werke, die im Rahmen des Vierjahresplanes die Gewinnung von Benzin auf Stein- oder Braunkohlebasis betreiben, arbeiten auf Grund eines Lizenzvertrages nach dem Hochdruckverfahren der I. G.

## 3. Kunstseide:

### Viscose-Kunstseide-Syndikat.

Die wichtigsten deutschen, holländischen, italienischen und Schweizer Hersteller von Viscose-Kunstseide, die Firmen:

Vereinigte Glanzstoff-Fabriken A.-G., Wuppertal-Elberfeld;

Glanzstoff-Courtaulds G. m. b. H., Köln;

I. G. Farbenindustrie Aktiengesellschaft, Frankfurt am Main;



Fr. Küttner Aktiengesellschaft, Pirna;  
 Spinnstofffabrik Zehlendorf A. G., Berlin;  
 Herminghaus & Co. G. m. b. H., Wuppertal-Elberfeld;  
 Algemeene Kunstzijde Unie N. V., Arnhem;  
 Hollandsche Kunstzijde-Industrie N. V., Breda;  
 Snia Viscosa Società Nazionale Industria Applicazione Viscosa, Mailand;  
 Châtillon S. A. Italiana, Mailand;  
 Commerciale Italiana Seta Artificiale (Cisa), S. A., Rom;  
 Steckborn Kunstseide A.-G., Steckborn,

haben zwecks Bildung eines Verkaufs-Syndikats für den deutschen Markt im Juli 1931 einen Vertrag abgeschlossen, wonach die von diesen Firmen hergestellte Viskoseseide in und nach Deutschland ausschließlich durch die zu diesem Zweck gegründete Kunstseide-Verkaufsbüro-G. m. b. H., Berlin, erfolgt. Die Dauer des Syndikats wurde auf 10 Jahre festgesetzt.

#### Kupferkunstseide-Syndikat.

Die Firmen J. P. Bemberg A.-G., Wuppertal-Barmen, I. G. Farbenindustrie Aktiengesellschaft und Fr. Küttner A.-G., Pirna, haben einen Vertrag über die Bildung des Kupferkunstseide-Syndikats abgeschlossen, dessen Geltungsbereich über den deutschen Markt hinausgeht und im Hinblick auf die verschiedenen ausländischen Bemberg-Lizenzverträge als eine Weltregelung auf dem Kupferkunstseidemarkt betrachtet werden kann.

#### 4. Zellwolle:

Gemeinsam mit der J. P. Bemberg A.-G., Wuppertal-Barmen, wurde die Cuprama Spinnfaser Gesellschaft m. b. H. in Berlin mit einem Kapital von

RM 50000 gegründet. Diese Gesellschaft verkauft die von der I. G. und von der J. P. Bemberg Aktiengesellschaft hergestellte Cuprama-Spinnfaser, einer nach dem Kupferoxydammoniak-Verfahren hergestellten Zellwolle.

#### Pachtverträge

Pachtweise werden von der I. G. betrieben:  
 Behringwerke A.-G., Marburg (Lahn).

#### Syndikate

Für eine Reihe von Erzeugnissen gehört die I. G. Syndikaten an, und zwar

Chlorzink-Produkte G. m. b. H.,  
 Elektrochemische Produkte G. m. b. H.,  
 Essigsäure Gesellschaft m. b. H.,  
 Kunstseide-Verkaufsbüro G. m. b. H.,  
 Kupferkunstseide-Syndikat G. m. b. H.,  
 Lithopone Kontor G. m. b. H.,  
 Mitteldeutsches Braunkohlen-Syndikat G. m. b. H.,  
 Rheinisches Braunkohlen-Syndikat G. m. b. H.,  
 Schwefel G. m. b. H.,  
 Schwefelkohlenstoff-Verkaufsgesellschaft m. b. H.,  
 Schwefelnatrium G. m. b. H.,  
 Stickstoff-Syndikat G. m. b. H.,  
 Sulfatvereinigung G. m. b. H.,  
 Syndikat deutscher Ätznatronfabriken G. m. b. H.,  
 Vereinigte Sauerstoffwerke G. m. b. H.,  
 Verkaufsstelle für Oxal- u. Ameisensäure G. m. b. H.,

Außerdem bestehen für eine weitere Anzahl von Erzeugnissen meist kurzfristig laufende preis- und absatzregelnde Verständigungen.

Fr. Küttner, Aktiengesellschaft, Pirna;  
 Spinnstoff-Fabrik Zehlendorf A.-G., Berlin;  
 Herminghaus & Co. G. m. b. H., W.-Elberfeld;  
 Algemeene Kunstzijde Unie N. V., Arnhem;  
 Hollandsche Kunstzijde-Industrie N. V., Breda;  
 Snia Viscosa Società Nazionale Industria Applicazione Viscosa, Milan;  
 Châtillon S. A. Italiana, Milan;  
 Commerciale Italiana Seta Artificiale (Cisa), S. A., Roma;  
 Steckborn Kunstseide A.-G., Steckborn

In July 1931 these firms reached an agreement with the purpose of forming a syndicate for sale on the German market. According to this agreement the Viscose-silk produced by those firms is only sold in and into Germany by the Kunstseide Verkaufsbüro G. m. b. H., Berlin, which was founded for that purpose. The duration of the syndicate was fixed for 10 years.

#### Kupferkunstseide-Syndikat.

The firms J. P. Bemberg A.-G., Wuppertal-Barmen, I. G. Farbenindustrie Aktiengesellschaft and Fr. Küttner A.-G., Pirna, have reached an agreement regarding the formation of the "Kupferkunstseide-Syndikat" the scope and territory of which reaches beyond the German market. Considering the different foreign Bemberg-Licence contracts that agreement may be regarded as a world-wide regulation on the market of artificial silk on copper basis.

#### 4. Cell-wool.

Together with J. P. Bemberg A.-G., Wuppertal-Barmen, the Cuprama Spinnfaser-Gesellschaft m. b. H., Berlin, was founded with a capital of 50.000.—RM.

That firm sells the Cuprama-cell-wool produced by the I. G. and J. P. Bemberg Aktiengesellschaft. Cuprama-cell-wool is a cellulose-wool manufactured after the copper-oxyd-ammonia procedure.

#### Lease-contracts

On lease there are entertained by the I. G. the  
 Behringwerke A.-G., Marburg (Lahn)

#### Syndicates

For a number of products the I. G. belongs to syndicates; these are:

Chlorzink-Produkte G. m. b. H.,  
 Elektrochemische Produkte G. m. b. H.,  
 Essigsäure-Gesellschaft m. b. H.,  
 Kunstseide-Verkaufsbüro G. m. b. H.,  
 Kupferkunstseide-Syndikat G. m. b. H.,  
 Lithopone Kontor G. m. b. H.,  
 Mitteldeutsches Braunkohlen-Syndikat G. m. b. H.,  
 Rheinisches Braunkohlen-Syndikat G. m. b. H.,  
 Schwefel G. m. b. H.,  
 Schwefelkohlenstoff-Verkaufsgesellschaft m. b. H.,  
 Schwefelnatrium G. m. b. H.,  
 Stickstoff-Syndikat G. m. b. H.,  
 Sulfatvereinigung G. m. b. H.,  
 Syndikat deutscher Ätznatronfabriken G. m. b. H.,  
 Vereinigte Sauerstoffwerke G. m. b. H.,  
 Verkaufsstelle für Oxal- u. Ameisensäure G. m. b. H.

In addition, there exist agreements for a further number of products. Most of those agreements are short-dated and regulate prices and markets.



NEIMIT

MIT DEM



yer-Kr

DAS  
ZEICHEN  
DES  
VERTRAUENS



## Statistics

Fiscal-year: Jan. 1st, till Dec. 31st

General-assembly: in the first seven months

### Capital-changes

Resolution of general assembly	orig. shares	3 1/2 %, later 5 % pref. stock for Series B	6 % in gold pref. shares for Series A	preemption		remarks
	in million Marks			pro-portion	Change in %	
State after amalgamation 1. 9. 26	641.6	4.4				
"	125.32			5:1	150	Notice of preemption 32 1/2 % 31, 31 1/2 %
"	3.666 6			10:1	150	Preemption for Köln-Rottweil St.-A.
"	3.75			10:1	150	" " Dynamit-Nobel St.-A.
"	0.96			10:1	150	" " Rh.-Westf. Sprengst. St.-A.
"	18.333 2			12.5:1	150	for fulfilling contract of amalgamation with Köln-Rottweil (St.-A. Exch. 2:1) for fulfilling I.G. contracts with Dynamit-Nobel and Rh.-Westf. Sprengstoff
"	23.55					for fulfilling I.G. contracts with the A. Riebeck'sche Montanwerke A.-G. for exchanging shares of Rheinische Stahlwerke
"	22.500 2					for further transactions for exchanges of Köln-Rottw. pref. stock to Leopold Casella & Co. G. m. b. H. at disposal of the firm
"	10.0					
"	47.32	0.125			100	
"		35.475				
"			100.0			
14. 1. 25	900.0	40.0	100.0			exchange into orig.-shares
"	+ 60.0		- 60.0			
31. 12. 31	960.0	40.0	100.0			Cashed on reason of the »Emergency decree« of 6/10/31 regarding simplified reduction of capital.
"	- 110.0					
25. 4. 34	850.0	40.0	100.0			On reason of the »Emergency decree« of 6/10/31 in connection with the eighth decree for carrying through the decrees of 14/3/1934 regarding simplified reduction of capital
"	- 130.0		- 60.0			
25. 5. 35	720.0	40.0	40.0			Stock-shares issued according to § 6 Abs. 2 EG AktG, cashed by resolution of Gen. Assembly of 25/5/35 after § 6 Abs. 3 EG AktG.
General executives resolution	- 40.0		- 40.0			
15. 6. 35	680.0	40.0 *)				*) 3 1/2 % preferred stock series B altered into 5 % preferred stock with the right for subsequent payment by resolution of Gen. Ass. of 15/6/35.
"						(1) see foot not
"						(2) Approved capital after § 169 ff AktG, may be spent until 1/6/43 by board of directors according to authorization of Gen. Ass. of 15/6/35.
"	+ 176.868 6 (1)					
"	+ 80.0 (2)					

Footnote: (1) Increase was under conditions resolved upon, excluding the legal preemption of the shareholders with the statement, that a right of exchange for the new shares is granted, according to the loan-conditions, to the shareholders of Dynamit A. G. vorm. Alfred Nobel & Co., Troisdorf, A. Riebeck'sche Montanwerke A. G., Halle-Saale, Gustav Genschow & Co. A. G., Berlin, (agreements with those firms being considered) and to the owners of "Debentures of 1925". The increase must not be carried through before and as far as the right may be made use of.

Footnote: (1) Increase was under conditions resolved upon, excluding the legal preemption of the shareholders with the statement, that a right of exchange for the new shares is granted, according to the loan-conditions, to the shareholders of Dynamit A. G. vorm. Alfred Nobel & Co., Treisdorf, A. Riebeck'sche Montanwerke A. G., Halle/Saale, Gustav Genschow & Co. A. G., Berlin, (agreements with those firms being considered) and to the owners of "Debentures of 1925". The increase must not be carried through before and as far as the right may be made use of.

Share-capital (acc. to resol. of Gen. Ass. June 18, 1935):

orig. shares:	19376 pieces of each 100.— = nom. RM 1.937.000.—
	1349902 " " " 200.— = " 269.980.400.—
	405082 " " " 1000.— = " 405.082.000.—
	RM 650.000.000.—

5% cumulative pref. stock with tenfold voting right:

40 000 pieces of each RM 1000.— = nom. RM 40.000.000.—
--

Total-share-capital . . . . . nom. RM 720.000.000.—

(Conditioned increase resolved for . . . . . nom. " 176.868.000.— orig. shares

Approved capital . . . . . nom. " 80.000.000.— " "

## Statistik

Geschäftsjahr: 1. Januar bis 31. Dezember.

Hauptversammlung: in den ersten sieben Monaten

### Kapital-Veränderungen

Hauptvers.- Beschluß	Stamm- Aktien	3½ % später	6 % Gold-	Bezugsrecht		Bemerkungen
		5 % Vz.-Akt. (fr. Serie B)	Vorz.-Akt. Serie A	Ver- hält- nis	Kurs in %	
in Millionen RM						
Stand nach Verschmelzung 1. 9. 26	641.6	4.4				
"	128.32			5:1	150	Bezugsrecht-Notiz: 32½, 31, 31½ %
"	3.666 6			10:1	150	Bez.-R. f. Köln-Rottweil St.-A.
"	3.75			10:1	150	" " Dynamit-Nobel St.-A.
"	0.96			10:1	150	" " Rh.-Westf. Sprengst. St.-A.
"	18.333 2			12.5:1	150	z. Durchf. des Verschmelzungsvertrages mit Köln-Rottweil (St.-A. Umt. 2:1)
"	23.55					z. Durchführung der I.G.-Verträge mit Dynamit-Nobel und Rh.-Westf. Sprengstoff
"	22.500 2					z. Durchführung d. I.G.-Vertrages m. d. A. Riebeck'schen Montanwerke A.-G.
"	10.0					z. Tausch in Aktien der Rheinischen Stahlwerke
"	47.32				100	für weitere Transaktionen bestimmt
"		0.125				z. Umtausch der Köln-Rottweil V.-A. an Leopold Cassella & Co. G. m. b. H.
"		35.475				z. Verfügung der Gesellschaft
"			160.0			
14. 1. 28	900.0	40.0	100.0			Umwandlung in Stammaktien
	+ 60.0		- 60.0			
31. 12. 31	960.0	40.0	100.0			Auf Grund der Notverordnung vom 6. 10. 31 über die erleichterte Kapi- talherabsetzung eingezogen
	- 110.0					
28. 4. 34	850.0	40.0	100.0			Auf Grund der Notverordnung vom 6. 10. 31 in Verbindung mit der 8. Verordnung zur Durchführung der Vorschriften über die Kapitalherab- setzung in erleichterter Form vom 14. 3. 1934
	- 130.0		- 60.0			
28. 5. 38 (Vorstands- beschluß)	720.0	40.0	40.0			Nach § 6 Abs. 2 EG AktG zur Verfü- gung gestellte Vorratsaktien, durch Vorstandsbeschl. v. 28.5.1938 nach § 6 Abs. 3 EG AktG eingezogen
	- 40.0		- 40.0			*) 3½ %ige Vorzugsaktien Serie B durch Beschluß der Hauptvers. v. 18.6.1938 geänd. in 5 %ige Vorz.-Akt. mit Nach- zahlungsrecht
18. 6. 38	680.0	40.0*)				1) s. Fußnote unten
	+ 176.868 6 1) + 80.0*)					2) Genehmigtes Kapital nach § 169 ff AktG, das der Vorstand lt. Ermäch- tigung der Hauptvers. v. 18.6.1938 bis 1.6.1943 ausgeben kann

1) Erhöhung unter Ausschließung des gesetzlichen Bezugsrechts der Aktionäre bedingt beschlossen mit der Bestimmung, daß den Aktionären der Dynamit-Aktien-Gesellschaft vorm. Alfred Nobel & Co., Troisdorf, A. Riebeck'schen Montanwerke A. G., Halle a. d. S., Gustav Genschow & Co. A. G., Berlin, unter den Voraussetzungen der mit diesen Gesellschaften geschlossenen Verträge, sowie den Besitzern von Teilschuldverschreibungen vom Jahre 1938\* gemäß den Anleihebedingungen ein Umtauschrecht auf die neu auszugebenden Aktien eingeräumt wird und daß die Erhöhung erst in dem Zeitpunkt und nur insoweit zur Durchführung gelangen soll, als von dem Rechte Gebrauch gemacht wird.

1) Erhöhung unter Ausschließung des gesetzlichen Bezugsrechts der Aktionäre bedingt beschlossen mit der Bestimmung, daß den Aktionären der Dynamit-Aktien-Gesellschaft vorm. Alfred Nobel & Co., Treisdorf, A. Riebeck'schen Montanwerke A. G., Halle a. d. S., Gustav Genschow & Co. A. G., Berlin, unter den Voraussetzungen der mit diesen Gesellschaften geschlossenen Verträge, sowie den Besitzern von „Teilschuldverschreibungen vom Jahre 1928“ gemäß den Anleihebedingungen ein Umtauschrecht auf die neu auszugebenden Aktien eingeräumt wird und daß die Erhöhung erst in dem Zeitpunkt und nur insoweit zur Durchführung gelangen soll, als von dem Rechte Gebrauch gemacht wird.

Aktienkapital (nach dem Beschluß der Hauptversammlung vom 18. Juni 1938):

Stammaktien:	19376 Stücke zu je RM 100.— = nom. RM 1.937.000.—
	1349902 " " " 200.— = " 269.980.400.—
	408082 " " " 1000.— = " 408.082.000.—
	nom. RM 680.000.000.—

5% ige kumulative Vorzugsaktien mit zehnfachem Stimmrecht:

40 000 Stücke zu je RM 1000.— = nom. RM 40.000.000.—
--

Gesamtaktienkapital . . . . . nom. RM 720.000.000.—

(Bedingte Erhöhung beschlossen um . . . . . nom. RM 176.868.000.— Stammaktien

Genehmigtes Kapital . . . . . nom. RM 80.000.000.— Stammaktien)





Aufenthaltsraum der Gefolgschaft im neuen „Bayer“-Verwaltungsgebäude

**Stimmrecht:** Jede Aktie gewährt das Stimmrecht. Für je RM 100.— Nennbetrag gewähren die Stammaktien eine Stimme, die Vorzugsaktien zehn Stimmen.

**Vorzugsaktien:** Die Vorzugsaktien gewähren zehnfaches Stimmrecht. Sie erhalten aus dem Reingewinn vor jeder Ausschüttung auf die Stammaktien eine nachzahlbare Dividende von höchstens 5 v. H. Die Nachzahlung der Rückstände erfolgt auf den Dividendenschein des Jahres, aus dessen Reingewinn die Nachzahlung bestritten wird. Das Recht auf Dividende ruht für Vorzugsaktien, die einem abhängigen Unternehmen gehören.

Im Falle der Abwicklung erhalten die Vorzugsaktien aus dem Abwicklungserlös vor den Stammaktien ihren Nennwert zuzüglich 5 v. H. Zinsen seit Anfang des Geschäftsjahres, in dem die Abwicklung begonnen worden ist, sowie etwaige Rückstände aus früheren Geschäftsjahren. An dem weiteren Gesellschaftsvermögen haben sie keinen Anteil.

#### Verwendung des Reingewinns:

Der Reingewinn, der sich aus der Jahresbilanz nach Vornahme der Abschreibungen, Wertberichtigungen, Rückstellungen und Rücklagen, einschließlich der gesetzlichen, ergibt, wird wie folgt verwendet:

1. zunächst werden auf die Vorzugsaktien eine Dividende von bis zu 5 v. H. sowie etwaige Rückstände aus Vorjahren verteilt, und zwar zunächst die Rückstände nach ihrem Alter;
2. alsdann wird auf die Stammaktien eine erste Dividende von bis zu 4 v. H. verteilt;
3. der Rest wird unter Berücksichtigung der satzungsmäßigen Vergütung des Aufsichtsrats (2 v. H. des nach § 98 Abs. 3 AktG zu berechnenden Reingewinns, höchstens jedoch 2 v. H. des Dividendenbetrages, der auf die Stammaktien über 4 v. H. hinaus entfällt) nach freiem Ermessen der Hauptversammlung zur Festsetzung einer weiteren Dividende auf die Stammaktien oder in anderer Weise verwendet.

#### Teilschuldverschreibungen von 1928:

Emissionsbetrag: RM 250.000.000.—

Verzinsung: Die Teilschuldverschreibungen sind mit

6% jährlich verzinslich. Sollte die I.G. auf die Stammaktien eine Dividende von mehr als 12% verteilen, so erhöht sich für das betreffende Jahr die Verzinsung der Teilschuldverschreibungen für jedes Mehrprozent Dividende um  $\frac{1}{2}\%$  Zusatzverzinsung.

Die Zinsen der Teilschuldverschreibungen einschließlich etwaiger Zusatzverzinsung sind am 1. Juli eines jeden Jahres für das vorausgegangene Kalenderjahr fällig, erstmalig am 1. Juli 1929, und zwar für den vollen Nennwert.

**Recht der Inhaber auf Tausch gegen Aktien:** Gegen Einreichung von je nominal RM 200.— bzw. RM 400.— bzw. RM 2000.— Teilschuldverschreibungen können nominal RM 100.— bzw. RM 200.— bzw. RM 1000.— Stammaktien der I. G. zu folgenden Kursen erworben werden:

Im Jahre 1930 zum Kurse von 120%	
„ „ 1940 „ „ 110%	
„ „ 1941 „ „ 100%	

Die Aktien sind ab 1. Januar des jeweiligen Erwerbsjahres dividendenberechtigt.

**Kündigungsrecht der Gesellschaft:** Die Gesellschaft kann jederzeit die Teilschuldverschreibungen unter Einhaltung einer Frist von 4 Monaten zur Rückzahlung zu 110% zuzüglich Zinsen pro rata temporis in Höhe des auf den zuletzt fällig gewordenen Zinsschein berechneten Zinssatzes kündigen. **Der Inhaber von Teilschuldverschreibungen ist jedoch in diesem Falle berechtigt, das vorgesehene Erwerbsrecht zu 90% des Erwerbskurses, aber nicht unter pari, unter Anrechnung der Teilschuldverschreibungen zum Nennwert auszuüben.** Für diesen Erwerbskurs ist das Jahr maßgebend, in das der Ablauf der Kündigungsfrist fällt. Innerhalb einer am Tage der Kündigung beginnenden Frist von 3 Monaten hat der Inhaber der Gesellschaft gegenüber die Erklärung abzugeben, ob er sein Recht auf Erwerb von Stammaktien ausüben will. Die Erklärung ist für ihn bindend. Wird innerhalb der Frist keine Erklärung abgegeben, so erlischt das Erwerbsrecht.

Day-Room for employees in the new „Bayer“-Administration-building

**Voting-right:** The voting-right is given by each share. Original shares grant 1 vote, preferred shares 10 votes for every value nom. 100.— RM.

**Preferred-shares:** The preferred shares grant a tenfold voting-right. Before every declaration they receive a cumulative dividend of maximum 5% from the original-shares taken from the net profit. The amounts have to be additionally paid for the dividend warrant of the year, from which the additional payment is done. Preferred shares belonging to a dependent enterprise have no right on dividends.

In the case of settlement the preferred shares are given their nominal value from the settlement-income before the original shares, with the addition of 5% interest from the beginning of the commercial year in which the settlement was started; arrears from previous years have to be paid, too. They have no part in the further assets of the company.

**Use of the net profit:** After depreciations, adjustments of values, allowances, and reserves (legal ones included) have been carried through the net profit resulting from the balance is used as follows:

- (1) At first a dividend of up to 5% for the preferred shares and possible arrears from previous years are distributed, the latter according to their age.
- (2) Then a fixed dividend of up to 4% is distributed to the original shares.
- (3) The rest is used under account of the legal allowance of the Board of Directors for starting a further dividend on the original shares or for another purpose according to the discretion of the General Assembly.

**Debentures of 1928:** Amount of emission: RM. 250.000.000.—

**Interest:** The debentures are entitled to an interest of 6%. This interest is to be increased by an additional  $\frac{1}{2}\%$  for every 1% increase if the I. G. distributes a dividend of more than 12% for the current year.

Interest, including supplemental interest, if any, is due on July 1 of each year for the preceding calendar year beginning July 1, 1929 for the full nominal value.

**Right of exchange:** The debentures are convertible with common shares in the ratio of RM. 200.— or RM. 400.— or 2.000.—, respectively, debentures into 100.— or 200.— or 1.000.—, respectively, common stock according to the following schedule:

In 1939 at the rate of 120%
In 1940 at the rate of 110%
In 1941 at the rate of 100%

From January 1 of each year the shares are entitled for dividends.

**Right of calling-up:** The debentures are callable on four months' notice at 110%, plus accrued interest. In case of call holders have the right to exercise their conversion privilege at 90% of the price established on the sliding scale for that year, but in no event they are entitled to common stock at a price below par. For that price the year will be authoritative in which the call-up ends. Within a time of three months beginning from the first day of the notice the holder has to declare to the company whether he will make use of his right to purchase common shares. That declaration will be obligatory for him. If within the fixed time such a declaration is not given the right of purchase expires.



**Exchanges:** Together with the debentures the interest coupons have to be delivered for the time in which the required shares are entitled for interest. If the nominal value of the delivered debentures surmounts the price of the shares, the surmounting sum will be credited to the deliverer at the discretion of the company wholly or partly in the form of debentures in which the right of purchase is named. The payment will be done in the nominal value or in cash. The returned debentures are bearing interest from the beginning of the year in which the right of purchase is practised. The debentures are callable at any time under consideration of three months' rate independent of the calling-up of those debentures which are still current with the right of purchase. As regards interest and repayment the same conditions are suitable as for the other debentures except the right of purchasing shares. That means that they have also to be repaid at 110%. If the surmounting value of the delivered debentures is paid in cash, accrued interest of 6% have to be paid to the deliverer from the beginning of the year of purchase until the date of payment. On December 31, 1938, there were owned by the company nom. RM 76.635.400.—

**Future preemptions:** If the company grants a purchase of new shares to its originalshare holders until

December 31, 1941, and if it does not offer a similar preemption for new shares to the holders of debentures the value of the preemption has to be repaid without interim interest. The value of the preemption is reckoned after the average quotation of the Berlin Exchange, but not higher than the invoice-value of the preemption.

**Repayment:** Those debentures still existing on January 1, 1945, are due for repayment at 10% on July 1, 1945, interest being paid from January 1, until June 30, 1945, according to the rate of interest of 1944.

The debentures were listed in the Stock Exchanges of Berlin, Düsseldorf, Frankfurt/Main, Hamburg, Leipzig, Munich and Stuttgart.

For the debentures a preemption in the proportion 4:1 was offered to holders of common stock as well as, according to previous agreements in the agreed proportion, to the shareholders of the Dynamit A. G. vorm. Alfred Nobel & Co., Troisdorf, Gustav Genschow & Co. A. G., Berlin, and of the Riebeck'sche Montanwerke Aktiengesellschaft, Halle/Saale.

All debenture-loans of the founder-companies had been called-up for repayment on May 1, 1927. Only a rest of those loans amounting about RM 216.150.— was current December 31, 1938.

**Umtausch:** Bei Einreichung der Teilschuldverschreibungen zwecks Erwerb der Aktien sind die Zinsscheine für die Zeit miteinzureichen, für welche die zu erwerbenden Aktien dividendenberechtigt sind. Übersteigt der Nennwert der eingereichten Teilschuldverschreibungen den Erwerbspreis der gegen sie zu übernehmenden Aktien, so wird der übersteigende Betrag dem Einreicher bei Ausübung des Erwerbsrechts nach Wahl der Gesellschaft ganz oder teilweise in Teilschuldverschreibungen, auf denen die Ausübung des Erwerbsrechts vermerkt ist, unter Anrechnung zum Nennwert oder in bar zurückerstattet. Die zurückgegebenen Teilschuldverschreibungen sind vom Beginn des Jahres an zinsberechtigt, in welchem das Erwerbsrecht ausgeübt wird. Ihre Kündigung kann unabhängig von derjenigen der noch mit Erwerbsrecht im Umlauf befindlichen Teilschuldverschreibungen jederzeit unter Einhaltung einer Frist von 3 Monaten erfolgen. Im übrigen gelten für sie, abgesehen von dem Wegfall des Aktienerwerbsrechts, die gleichen Bedingungen hinsichtlich Verzinsung und Rückzahlung wie für die übrigen Teilschuldverschreibungen. Insbesondere hat also auch ihre Rückzahlung zu 110% zu erfolgen. Erfolgt für den übersteigenden Nennwert der eingereichten Teilschuldverschreibungen eine Barvergütung, so sind dem Einreicher Stückzinsen von 6% vom Beginn des Erwerbsjahres bis zum Tage der Auszahlung zu vergüten.

Am 31. Dezember 1938 waren nom. RM 76.635.400.— im Besitze der Gesellschaft.

**Zukünftige Bezugsrechte:** Falls die Gesellschaft ihren Stammaktionären bis zum 31. Dezember 1941 einen

Bezug auf neue Stammaktien einräumt und den Inhabern der Teilschuldverschreibungen nicht ein entsprechendes Bezugsrecht auf neue Aktien anbietet, ist der Wert des Bezugsrechtes ohne Zwischenzinsen bei dem Aktienerwerb zu vergüten. Der Wert des Bezugsrechtes wird berechnet auf Grund des Durchschnitts der amtlichen Notierung an der Berliner Börse, höchstens aber zum rechnerischen Wert des Bezugsrechtes.

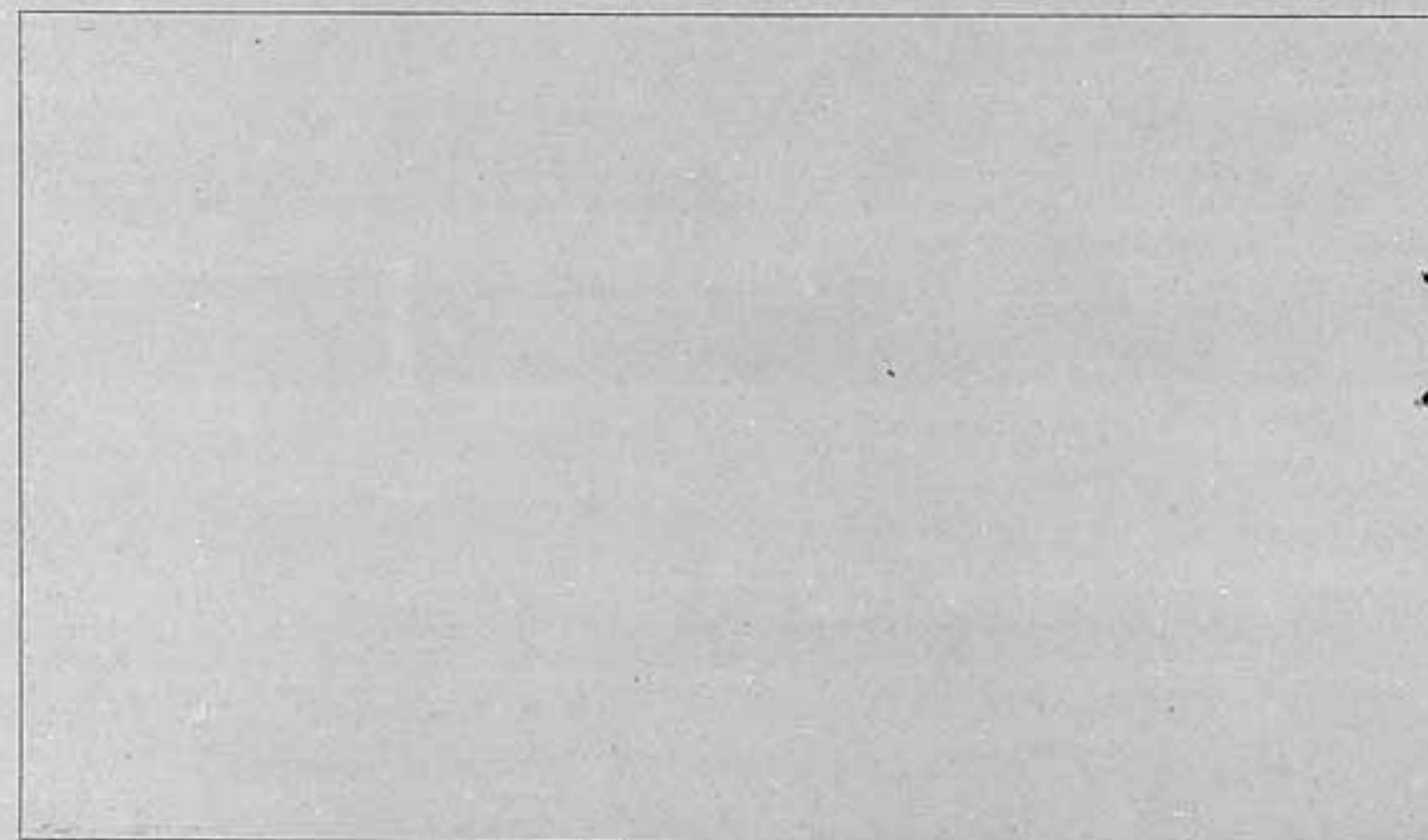
**Rückzahlung:** Die am 1. Januar 1945 noch ausstehenden Teilschuldverschreibungen werden zur Rückzahlung am 1. Juli 1945 zu 110% unter Vergütung von Zinsen für die Zeit vom 1. Januar bis 30. Juni 1945 in Höhe des für 1944 maßgeblichen Zinssatzes fällig.

Die Teilschuldverschreibungen wurden an den Börsen von Berlin, Düsseldorf, Frankfurt a. M., Hamburg, Leipzig, München und Stuttgart eingeführt.

Auf die Teilschuldverschreibungen ist den Inhabern der Stammaktien ein Bezugsrecht im Verhältnis 4:1 sowie gemäß früher getroffener Vereinbarungen auch den Inhabern der Stammaktien der Dynamit-Aktien-Gesellschaft vormals Alfred Nobel & Co., Troisdorf, der Gustav Genschow & Co. Aktiengesellschaft, Berlin, und der A. Riebeck'schen Montanwerke Aktiengesellschaft, Halle a. S., ein Bezugsrecht in dem vertraglich festgelegten Verhältnis angeboten worden.

Sämtliche Obligationsanleihen der Gründergesellschaften waren am 1. Mai 1927 zur Rückzahlung gekündigt worden. Am 31. Dezember 1938 befand sich von diesen Anleihen nur noch ein Restbetrag im Einlösungswert von etwa RM 216.150.— im Umlauf.

## Meeting



## Feierstunde





# Soziale Statistik

Gefolgschaft: jeweils am 31. Dezemb.	1932		1933		1934		1935		1936		1937		1938	
	Ar- beiter	An- gest.	Ar- beiter	An- gest.	Ar- beiter	An- gest.	Ar- beiter	An- gest.	Ar- beiter	An- gest.	Ar- beiter	An- gest.	Ar- beiter	An- gest.
einschl. Am- moniakwerk Merseburg G. m. b. H., Leuna Wer- ke, Kalle & Co. Aktien- gesellschaft, Wiesbaden- Biebrich, u. Aktiengesell- schaft für Stickstoff- dünger, Knapsack	50 373	16 135	59 592	17 156	72 822	19 492	77 410	20 641	87 570	22 387	97 875	26 324	106 496	28 714
zusammen	66 508		76 748		92 314		98 051		109 957		124 199		135 210	
In d. Gruben u. den ange- schlossenen Unternehm.	30 897		35 823		42 363		50 154		60 912		68 730		82 880	
insgesamt	97 405		112 571		134 677		148 205		170 869		192 929		218 090	
Soziale Auf- wendungen	Betrag													
	1932 RM	1933 RM	1934 RM	1935 RM	1936 RM	1937 RM	1938 RM							
a) Gesetzl. Beiträge zur Sozialvers.	11 500 189	12 236 907	14 725 905	16 874 542	18 426 239	21 828 415	24 354 956							
b) Aufwend. f. Zwecke der Pensionsfür- sorge einschl. Beitrag zur Pens.-Kasse	31 488 478	30 497 272	32 190 782	36 594 397	35 972 768*)	41 198 309	45 787 706							
c) Aufwen- dungen für sonstige Maß- nahmen auf dem Gebiete der betriebl. Sozialpolitik (Wohnungs- u. Siedlungs- wesen, be- triebliche Gesundheits- fürsorge, Werksambu- lanzen, Er- holungshei- me, Feier- abendhäuser u. Speisean- stalt, Werk- veranstalt., bare Zuwen- dungen)	7 771 832	7 138 152	10 609 198	12 031 451	13 615 166	16 544 663	21 718 473							
insgesamt	50 760 499	49 872 331	57 525 885	65 500 390	68 014 173	79 571 387	91 861 135							

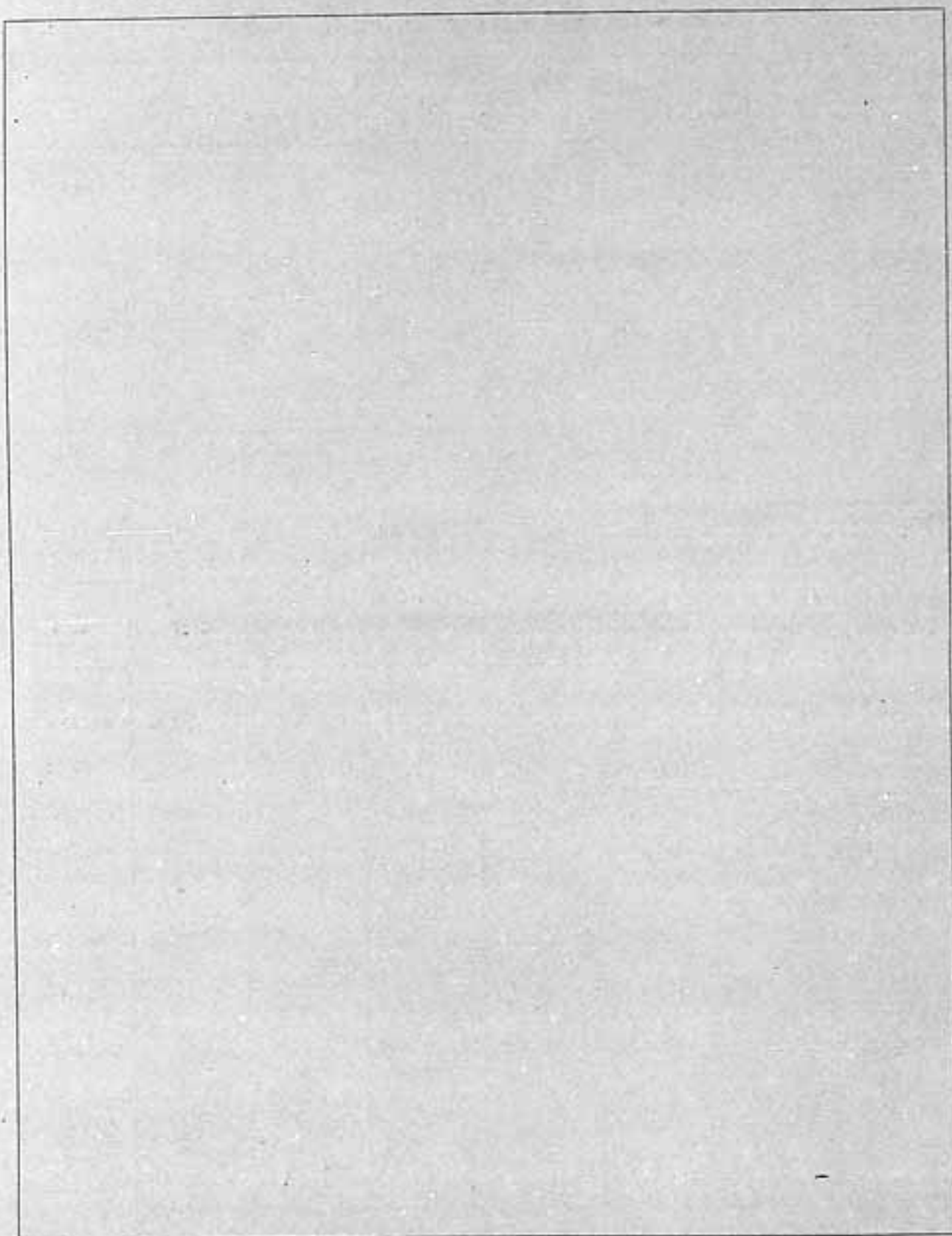
\*) Die Verminderung dieses Betrages erklärt sich aus der erfreulichen Tatsache, daß es möglich war, eine größere Zahl ehemaliger Gefolgschaftsmitglieder erneut in Arbeit zu bringen.

# Social statistics

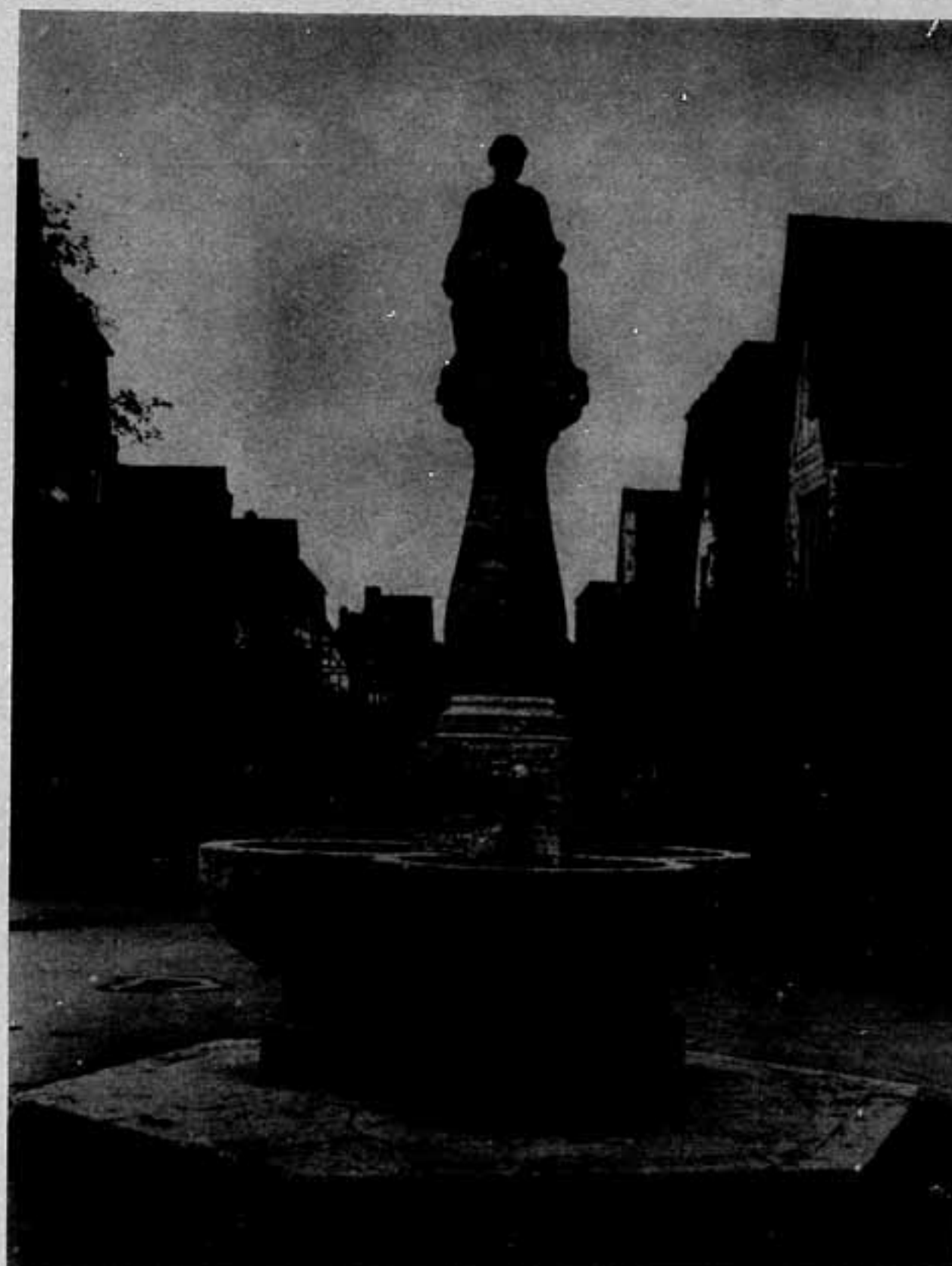
Status of De- cember 31, of each year	1932		1933		1934		1935		1936		1937		1938	
	work- men	em- ploy- ees	work- men	em- ploy- ees	work- men	em- ploy- ees	work- men	em- ploy- ees	work- men	em- ploy- ees	work- men	em- ploy- ees	work- men	em- ploy- ees
incl. Am- moniakwerk Merseburg G. m. b. H., Leuna Wer- ke, Kalle & Co. Aktien- gesellschaft, Wiesbaden- Biebrich, u. Aktiengesell- schaft für Stickstoff- dünger, Knapsack	50 373	16 135	59 592	17 156	72 822	19 492	77 410	20 641	87 570	22 387	97 875	26 324	106 496	28 714
total	66 508		76 748		92 314		98 051		109 957		124 199		135 210	
In the mines and affiliated firms	30 897		35 823		42 363		50 154		60 912		68 730		82 880	
total	97 405		112 571		134 677		148 205		170 869		192 929		218 090	
Social expenditure	1932													
	RM	RM	RM	RM	RM	RM	RM							
a) for social security tax	11 500 189	12 236 907	14 725 905	16 874 542	18 426 239	21 828 415	24 354 956							
b) for pen- sions, inclu- ding old-age insurance	31 488 478	30 497 272	32 190 782	36 594 397	35 972 768*)	41 198 309	45 787 706							
c) for social purposes, such as workers' colonies, recreation- homes, re- convalescen- ce-homes, canteens, cash pay- ments etc.	7 771 832	7 138 152	10 609 198	12 031 451	13 615 166	16 544 663	21 718 473							
total	50 760 499	49 872 331	57 525 885	65 500 390	68 014 173	79 571 387	91 861 135							

\*) Reduce is to be explained from the delightful fact that a great number of former workmen and employees could be re-engaged.





*"Mother and Child" fountain in the I.G. workmen's colony "Anna" at Leverkusen*



*Brunnen „Mutter und Kind“ in der I.G.-Kolonie „Anna“ in Leverkusen*





*Kindergarten der I.G. in Leverkusen*

*Betriebsfeier für die Kinder der Gefolgschaft der I.G. Berlin NW 7*

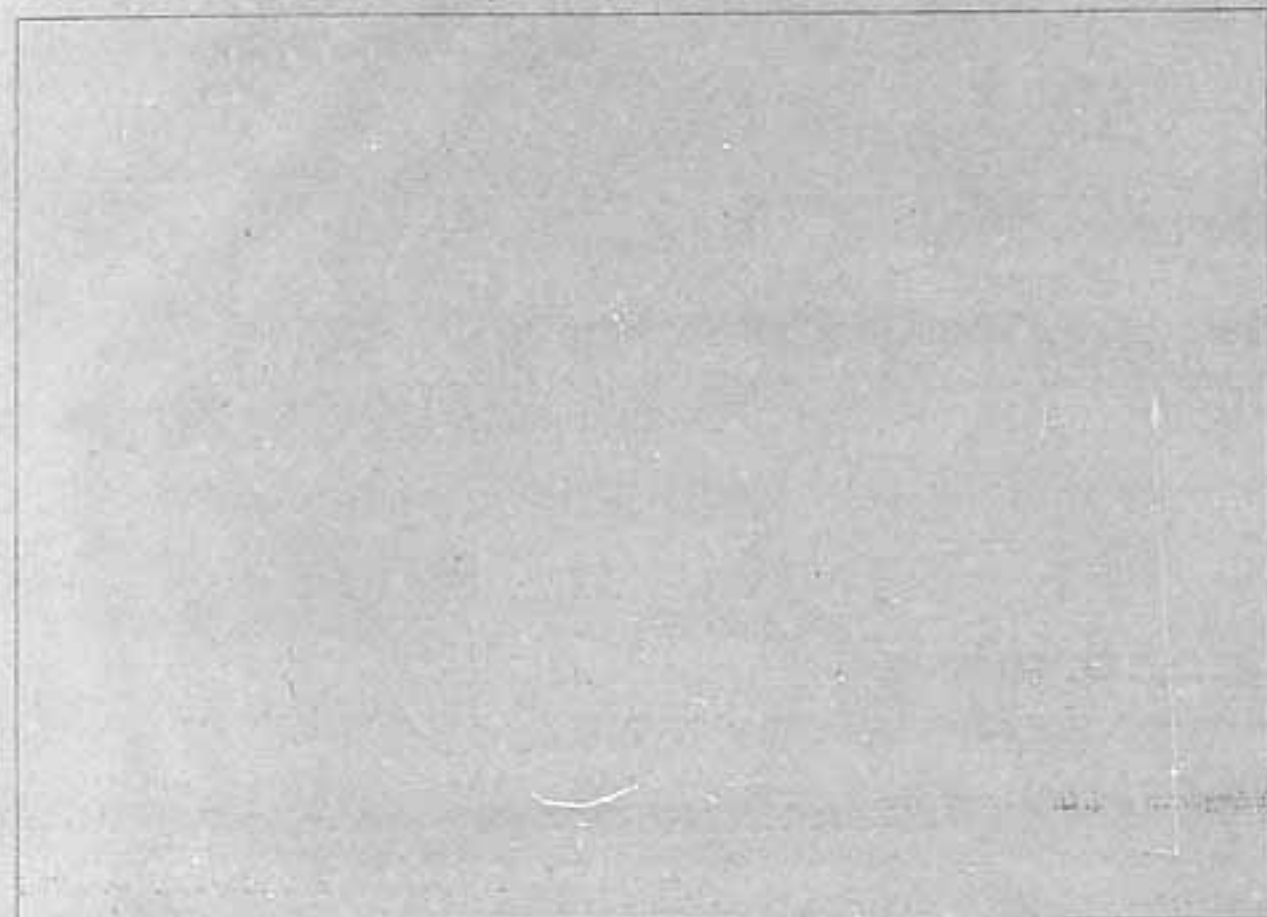


*Kindergarten of I. G. at Leverkusen*

*Meeting for personnel's children sponsored by I. G. Berlin NW 7*







The I.G. newspaper has about 130,000 readers

**Annual premium:** The annual premium is paid to all workers and employees whose annual income does not surmount RM 7,200.— and who will have completed their 18<sup>th</sup> year of age on Jan. 2 after the same year, working in the firm at least one year. On the one hand the years of loyalty to the firm will thus be rewarded, on the other hand each receiver gets a share of profit, according to the dividend of the previous year.

The annual premium consists of a share of profit and a premium of loyalty (according to numbers of years of workshop) considering a dividend of 5%. The share of profit consists of:

1) a fixed sum of RM 25.—

2a) 4.57% of the annual income for those who have completed 3 years dating from January 2, and whose annual income has not surmounted RM 3,600.—

2b) 4.57% to 0.8% of the annual income for those who have completed three years dating from Janu-

ary 2, and whose annual income is between RM 3,600.— and RM 4,795.—

2c) 0.8% of the annual income for all others.

#### The "premium of loyalty"

amounts for 10 years' workshop	RM 2.— each year
for 10 " till 25 years "	3.— " "
for 25 " " 40 " "	5.— " "
for more than 40 " "	7.50 " "

Thus a worker with an annual income of RM 2,600.— will receive:

after the	1 <sup>st</sup> year	RM 47.— premium of loyalty
" "	3 <sup>rd</sup> "	145.— " " "
" "	11 <sup>th</sup> "	172.— " " "
" "	21 <sup>st</sup> "	202.— " " "
" "	30 <sup>th</sup> "	259.— " " "
and after the	40 <sup>th</sup> "	439.— " " "



Die Werkzeugzeitung des I.G. hat rund 130 000 Leser

**Jahresprämie:** Jahresprämie erhalten alle Gefolgschaftsmitglieder mit einem Jahreseinkommen bis zu RM 7200, die am 2. Januar des in Frage kommenden Jahres das 18. Lebensjahr vollendet haben und an diesem Tage mindestens 1 Jahr ununterbrochen bei der I.G. beschäftigt sind. Die Jahresprämie ist so aufgebaut, daß einerseits der durch die Zahl der Dienstjahre ausgewiesenen Werkträte Rechnung getragen wird und andererseits jedes empfangsberechtigte Gefolgschaftsmitglied einen nach der vorjährigen Dividende errechneten Gewinnanteil in Gestalt eines Prozentsatzes seines letzten Einkommens erhält.

Die Jahresprämie besteht aus einem Gewinnanteil und einer Treueprämie (Dienstalterzuschlag). Unter Zugrundelegung einer Dividende von 8% setzt sich der Gewinnanteil zusammen:

1) aus einem festen Betrag von RM 25.—;

2a) aus 4.57% des Jahreseinkommens für diejenigen Prämienempfänger, welche am 2. Januar des in Frage stehenden Jahres 3 Dienstjahre vollendet haben und deren Jahreseinkommen RM 3600.— nicht überstiegen hat;

2b) aus einem sich zwischen 4.57 und 0.8% bewegendem Gewinnanteil aus dem Jahreseinkommen für diejenigen Prämienempfänger, welche am 2. Januar des in Frage

kommenden Jahres 3 Dienstjahre vollendet haben und deren Jahreseinkommen zwischen RM 3600.— und RM 4795.— liegt;

2c) aus 0.8% des Jahreseinkommens für alle übrigen Prämienempfänger.

Die Treueprämie beträgt für Empfänger mit einem Dienstalter:

bis zu 10 Jahren	RM 2.— pro Dienstjahr
über 10—25 "	3.— " "
" 25—40 "	5.— " "
" 40— "	7.50 " "

Dementsprechend erhält z. B. ein Arbeiter mit einem Jahreseinkommen von RM 2500.— nach

vollendetem	1. Dienstjahr	RM 47.—
"	3.	145.—
"	11.	172.—
"	21.	202.—
"	30.	259.—
und	40.	439.—





Werkssiedlung Höchst

<b>Übersicht über das Wohnungs- und Siedlungswesen der I.G.</b> Stand 31. Dezember 1938	Werkswohnungen im Eigentum der Firma	Sonstige mit Mitteln der I.G. erstellte Gefolgschaftswohnungen (durch Zuschüsse und Darlehen an Wohnungsbau-gesellschaften und Gefolgschaftsangehörige)	Stammarbeiter-Kleinsiedlungen
1. MAIN-GAU Frankfurt, Höchst .....	3 017	2 365	181
2. OBER-RHEIN Ludwigshafen, Oppau, Zweckel .....	1 851	1 713	1 194
3. NIEDER-RHEIN Leverkusen, Elberfeld .....	3 730	1 062	240
4. MITTEL-DEUTSCHLAND a) Wolfen, Berlin .....	2 035	1 958	908
b) Leuna .....	1 914	3 358	519
c) Schkopau .....	217	338	—
<b>Insgesamt .....</b>	<b>12 764</b>	<b>10 794</b>	<b>3 042</b>

Für die Gefolgschaft der I.G. sind somit vorhanden:

12 764 Wohnungen, die im Eigentum der Firma stehen,  
10 794 Wohnungen, deren Bau die Firma mittelbar oder unmittelbar ermöglicht hat,  
3 042 Siedlerstellen,  
zusammen 26 600 Wohnungen.

Hierzu kommen 3 592 Wohnungen der I.G. Bergwerke Halle, so daß insgesamt 30 192 Wohnungen für die Gefolgschaftsmitglieder vorhanden sind.

Jeder vierte verheiratete Werksangehörige der I.G. bewohnt eine vom Werk oder mit dessen Hilfe geschaffene Wohnung.

Workers' colony at Höchst

<b>Survey of dwelling-organisation</b> Status of December 31, 1938	Lodgings belonging to the firm	other lodgings prepared by I.G. means (contributions and loans)	workers' colonies
1. MAIN-DISTRICT Frankfurt/Höchst .....	3 017	2 365	181
2. UPPER-RHINE-DISTRICT Ludwigshafen, Oppau, Zweckel .....	1 851	1 713	1 194
3. LOWER-RHINE-DISTRICT Leverkusen, Elberfeld .....	3 730	1 062	240
4. CENTRAL-GERMANY a) Wolfen, Berlin .....	2 035	1 958	908
b) Leuna .....	1 914	3 358	519
c) Schkopau .....	217	338	—
<b>total .....</b>	<b>12 764</b>	<b>10 794</b>	<b>3 042</b>

That means that there exist the following dwellings for the workers and employees of the I.G.:

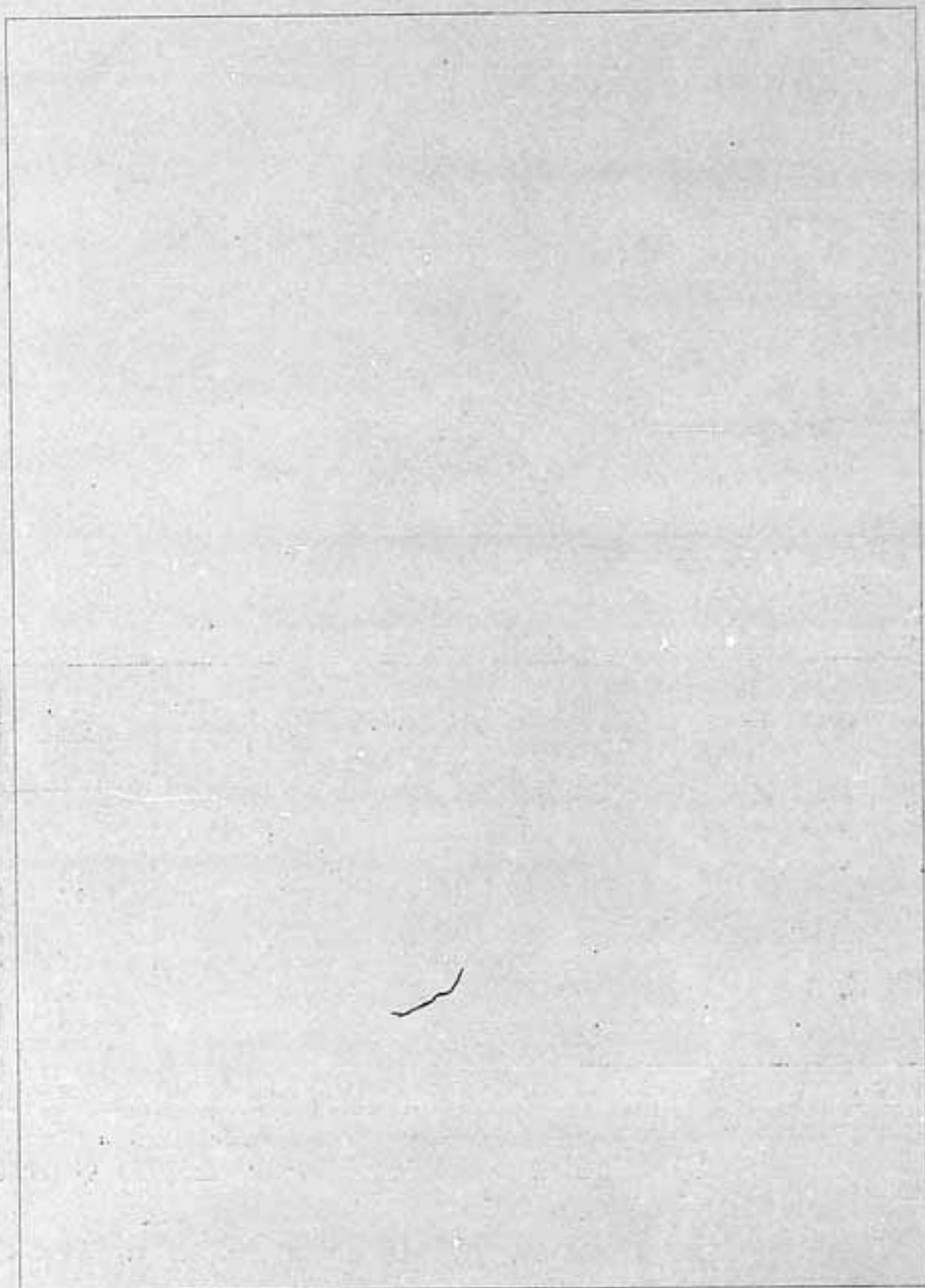
12 764 dwellings owned by the firm  
10 794 the building of which was directly or indirectly made possible by the firm  
3 042 workers' colonies  
total 26 600 dwellings.

In addition to them

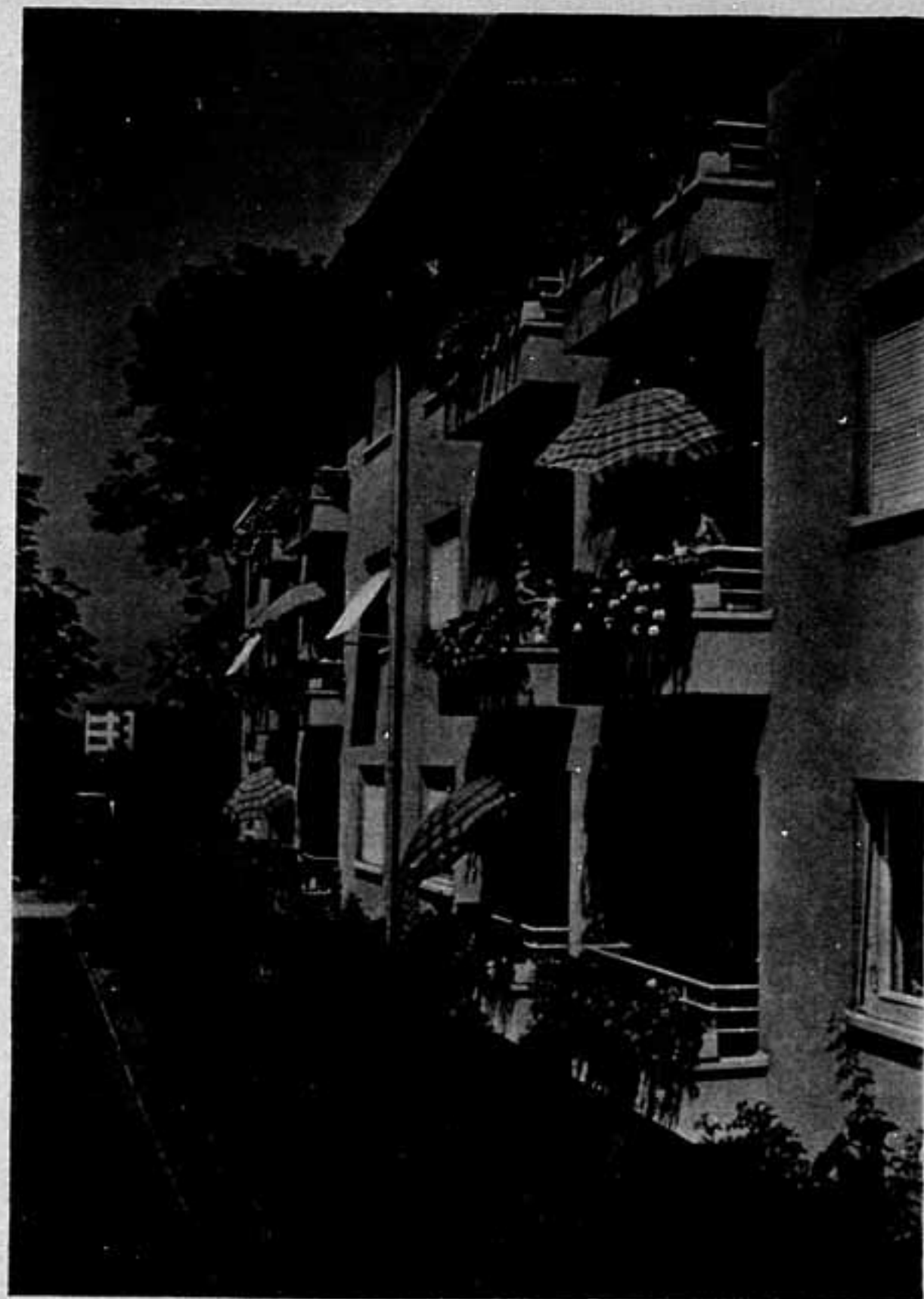
there exist 3 592 dwellings of I.G. mines at Halle-Saale, so that in total there exist 30 192 dwellings for the workers and employees.

Each fourth married member of the I.G. lives in a dwelling built by the firm itself or by means of the firm.





*In an I. G. workmen's colony  
Agfa-color-new micro-picture*



*Aus einer I. G.-Siedlung  
Nach einer Agfacolor-Neu-Kleinbildaufnahme*



**Recreation-Homes:** The firms amalgamated in the I. G. have always considered favourable recreation- and holiday-institutions as an important means for strengthening fellowship. The I. G., therefore, has been entertaining for many years the following Recreation- and Reconvalescence-Homes situated in beautiful places and furnished with the latest hygienic sets. Those homes are at the disposal of the workers and employees themselves as well as of their wives and children, if they are ill or if they need recreation.

*Recreation-Home Kirchheimbolanden (Pfalz);*

*Tbc-Home Dannenfels bei Kirchheimbolanden (Pfalz);*

*Reconvalescence-Home St. Johann bei Albersweiler-Pfalz*

*Recreation-Home Bad Kirnhalden (Black-Forest);*  
*Tbc-Home Oberweiler near Badenweiler, (Black-Forest) (for wives of workers and employees);*

*Reconvalescence-Home Bad Soden, Taunus;*

*Cassella-Heim near Frankfurt/Main-Fechenheim (for children);*

*Wohlfahrtsgut Große Ledder, Bergisches Land (Böttger-Home and Bayer-Duisberg-Holiday-Homes);*

*Recreation-Homes in Tambach-Dietharz (Thuringia-Forest) for men, women and children;*

*Recreation-Home Neuhaus am Rennsteig (Thuringia-Forest)*

## Quotations and dividends

**Official note:** In Berlin, Düsseldorf, Frankfurt-Main, Hamburg, Leipzig, Munich, Stuttgart and Vienna (for original shares only).

Quotations of original shares													
a) 1926—1935	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938
highest . . . . . %	354 1/2	353 1/2	290 1/2	267	190	150 3/4	108 1/2	148	150 1/4	160 3/4	180	173 1/8	164 7/8
lowest . . . . . %	111 3/4	238 1/2	242 1/2	165 1/2	122 1/2	92 1/2	81 1/8	95 1/2	123 1/4	134 3/8	147	152 3/4	142 1/4
latest . . . . . %	324 3/4	277	266 3/4	169 1/2	125	92 1/2	96	123 3/4	135 3/4	149 1/4	173	169	150 1/4
b) monthly quotations 1935/39													
	June 1935	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan. 1939	Febr.	March	April	May	
highest . . . . . %	162 1/2	137	150 3/8	154	154 1/4	153 1/2	151 1/8	151 5/8	154	150	150 5/8	150 5/8	
lowest . . . . . %	155 1/2	148	142 1/4	144 3/8	151	144	146 5/8	147	150	146 1/2	147 5/8	148 5/8	
latest . . . . . %	156	150 7/8	146 1/4	154	153 1/2	146 1/4	150 1/4	150 1/4	150 3/4	149 3/4	149	149 3/4	

Quotations of debentures													
a) 1928—1935	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938		
highest . . . . . %	150	144	115	105	102	118 1/2	127 3/4	130	139	137 1/4	131 1/2		
lowest . . . . . %	133 1/2	101	85 1/8	70	74 3/4	94	111 1/8	119	122 3/8	129	117		
latest . . . . . %	144	101 3/4	86	70 1/2	96 1/2	114 1/2	118 1/4	122 3/4	134 3/4	130	117		
b) monthly quotations 1935/39													
	June 1935	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan. 1939	Febr.	March	April	May	
highest . . . . . %	131 1/2	125 3/8	122 1/2	123 1/2	123 7/8	122 1/2	119 7/8	120	120 3/4	122	123 1/4	124 3/8	
lowest . . . . . %	129 1/2	119 1/2	119 1/4	120	121 3/8	117 3/4	117	117 1/2	119	120 3/4	121 3/4	122	
latest . . . . . %	130 7/8	121	122	123 1/2	122	117 3/4	117	118 7/8	120 3/4	122	122	124 1/4	

dividends for original shares													
dividends	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937
in % of the stock capital	10	10	12	12	12	12	7	7	7	7	7	7	8
													8
													8

**Erholungsheime:** Die in der I. G. zusammengeschlossenen Firmen sahen von jeher in der Schaffung günstiger Erholungs- und Urlaubseinrichtungen ein wertvolles Mittel zur Vertiefung werkgemeinschaftlicher Gesinnung. Die I. G. unterhält daher seit vielen Jahren folgende schön gelegenen und mit den neuesten hygienischen Einrichtungen ausgestatteten Erholungs- und Genesungsheime, die im Falle der Erholungsbedürftigkeit oder der Krankheit sowohl den Werkskameraden selbst als auch ihren Frauen und Kindern zur Verfügung stehen:

*Erholungsheim Kirchheimbolanden (Pfalz);*

*Lungenheilstätte Dannenfels b. Kirchheimbolanden;*

*Genesungsheim St. Johann b. Albersweiler (Pfalz);*

*Erholungsheim Bad Kirnhalden (im Schwarzwald);*  
*Lungenheilstätte Oberweiler bei Badenweiler im Schwarzwald (für Frauen von Gefolgschaftsangehörigen);*

*Genesungsheim Bad Soden im Taunus;*

*Cassella-Heim bei Frankfurt a. M.-Fechenheim (für Kinder);*

*Wohlfahrtsgut Große Ledder im Bergischen Land (Böttger-Heim und Bayer-Duisberg-Ferienhäuser);*

*Erholungsheime in Tambach-Dietharz (Thüringer Wald) für Männer, Frauen und Kinder;*

*Erholungsheim Neuhaus am Rennsteig (Thüringer Wald).*

## Kurse und Dividenden

**Börsen-Notiz:** In Berlin, Düsseldorf, Frankfurt a. M., Hamburg, Leipzig, München, Stuttgart und Wien (nur für Stammaktien).

Kurse der Stammaktien													
a) 1926—1938	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938
Höchster . . . . . %	384 1/2	353 1/2	290 1/2	267	190	159 3/4	108 1/2	148	150 1/4	160 3/4	180	173 1/8	164 7/8
Niedrigster . . . . . %	111 3/4	238 1/2	242 1/2	165 1/2	122 1/2	92 1/2	81 1/8	95 1/2	123 1/4	134 3/8	147	152 3/4	142 1/4
Letzter . . . . . %	324 3/4	277	266 3/4	169 1/2	125	92 1/2	96	123 3/4	135 3/4	149 1/4	173	169	150 1/4
b) Monatskurse 1938/39													
	June 1938	July	Aug.	Sept.	Okt.	Nov.	Dez.	Jan. 1939	Febr.	März	April	Mai	
Höchster . . . . . %	162 1/2	157	150 3/8	154	154 1/4	153 1/2	151 1/8	151 5/8	154	150	150 5/8	150 5/8	
Niedrigster . . . . . %	155 1/2	148	142 1/4	144 3/8	151	144	146 5/8	147	150	146 1/2	147 5/8	148 5/8	
Letzter . . . . . %	156	150 7/8	146 1/4	154	153 1/2	146 1/4	150 1/4	150 1/4	150 3/4	149 3/4	149	149 3/4	

Kurse der Teilschuldverschreibungen													
a) 1928—1938	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938		
Höchster . . . . . %	150	144	115	105	102	118 1/2	127 3/4	136	139	137 1/4	131 1/2		
Niedrigster . . . . . %	133 1/2	101	85 1/8	70	74 3/4	94	111 1/8	119	122 3/8	129	117		
Letzter . . . . . %	144	101 3/4	86	70 1/2	96 1/2	114 1/2	118 1/4	122 3/4	134 3/4	130	117		
b) Monatskurse 1938/39													
	June 1938	July	Aug.	Sept.	Okt.	Nov.	Dez.	Jan. 1939	Febr.	März	April	Mai	
Höchster . . . . . %	131 1/2	125 3/8	122 1/2	123 1/2	123 7/8	122 1/2	119 7/8	120	120 3/4	122	123 1/4	124 3/8	
Niedrigster . . . . . %	129 1/2	119 1/2	119 1/4	120	121 3/8	117 3/4	117	117 1/2	119	120 3/4	121 3/4	122	
Letzter . . . . . %	130 7/8	121	122	123 1/2	122	117 3/4	117	118 7/8	120 3/4	122	122	124 1/4	

Dividenden auf Stammaktien													
Dividenden	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937
in % des Stammaktienkapitals	10	10	12	12	12	12	7	7	7	7	7	7	8
													8
													8



# Bilanzen

Am 31. Dezember Zahlen in 1000 RM	1925	1926	1927	1928	1929	1930	1931
<b>Aktiva</b>							
Werksanlagen .....	319193	346897	382463	451915	501007	494190	466502
Beteiligungen .....	237110	258657	293869	290262	270975	294626	275331
Wertpapiere .....	5426	2477	2274	16000	17656	6569	5306
Eigene Aktien .....	—	—	—	—	—	49917	4348
Vorräte .....	208633	226035	245915	342126	357995	307293	238906
Forderungen .....	299788	384934	411802	500474	485879	442285	416558
Kassen-, Wechsel- und Scheckbestände .....	16146	14633	25442	23315	22622	9602	9950
Schatzanweisungen .....	—	—	—	—	—	—	—
Bankguthaben .....	99558	200730	165832	227774	136834	139340	83862
Aufgeld auf Teilschuld- verschreibungen per 1. 7. 1945 .....	—	—	—	—	—	—	24964
	1185854	1434363	1527597	1851866	1792968	1743822	1525727
<b>Passiva</b>							
Dividendenberechtigtes Stammaktienkapital .....	641600	659933	796630	799298	799348	713717	685000
Einbezahltes Stamm- aktienkapital .....	641600	726892	796630	799298	799348	799348	689348
Einbezahltes Vorzugs- aktienkapital .....	4400	13394	13394	13394	13394	13394	13394
Rücklagen .....	104028	173155	176254	188291	200000	200000	200000
Rückstellungen .....	—	—	—	—	—	—	—
Teilschuldverschreibungen vom Jahre 1928 .....	—	—	—	250000	249707	249642	249642
Aufgeld auf Teilschuldver- schreibungen p. 1. 7. 1945	—	—	—	—	—	—	24964
Gekünd. Obligationsanl.	10383	7728	962	472	364	325	291
Wohlfahrtsfonds .....	46400	46400	46400	46400	53000	58000	60000
Stiftungen .....	2420	2404	2841	2940	2947	3020	3300
Zinsen auf Teilschuldver- schreibungen .....	—	—	—	15000	14982	14978	14978
Verbindlichkeiten .....	220706	310453	321140	331089	297043	297719	218351
Bankschulden .....	87873	83413	66767	82097	31059	12236	—
Vergütung auf Grund des Gesetzes über die Frei- gabe des deutschen Ei- gentums in USA. ....	—	—	—	—	21063	—	—
Gewinnvortrag .....	447	1806	2397	4427	5463	5942	6944
Reingewinn .....	67597	68718	100812	118458	104598	89218	44515
	1185854	1434363	1527597	1851866	1792968	1743822	1525727

# Bilanzen

1932	1933	1934	1935	1936	1937	1938	Am 31. Dezember Zahlen in 1000 RM
							<b>Aktiva</b>
432064	401807	395861	423109	432041	514658	604995	Werksanlagen
291273	289525	290544	282689	278667	228593	310152	Beteiligungen
15895	24705	31439	32392	29584	16985	11379	Wertpapiere
8739	8739	—	—	—	—	—	Eigene Aktien
178322	150498	129051	137945	138463	179685	203574	Vorräte
406043	382763	400780	431469	436082	448707	425695	Forderungen
8318	8541	15196	19123	14840	29646	12741	Kassen-, Wechsel- und Scheckbestände
—	20315	54000	21837	29890	19929	—	Schatzanweisungen
162418	153756	113869	102379	96000	103873	39200	Bankguthaben
24958	17729	16241	16241	16241	16241	15873	Aufgeld auf Teilschuld- verschreibungen per 1. 7. 1945
1528030	1458378	1446981	1467184	1471808	1558317	1623609	
							<b>Passiva</b>
680000	680000	680000	680000	680000	680000	680000	Dividendenberechtigtes Stammaktienkapital
689348	689348	680000	680000	680000	680000	680000	Einbezahltes Stamm- aktienkapital
13394	13394	13394	13394	13394	40000	40000	Einbezahltes Vorzugs- aktienkapital
200000	200000	200609	200609	200609	215903	218272	Rücklagen
60000	60000	63000	65000	70000	72000	74000	Rückstellungen
249582	177291	162408	162408	162408	162408	166115	Teilschuldverschreibungen vom Jahre 1928
24958	17729	16241	16241	16241	16241	16612	Aufgeld auf Teilschuldver- schreibungen p. 1. 7. 1945
269	260	245	237	235	218	216	Gekünd. Obligationsanl.
62000	62000	46400	46400	46400	48400	53650	Wohlfahrtsfonds
3499	3704	3996	4108	4153	4725	4516	Stiftungen
14975	10637	9744	9744	9744	9744	9967	Zinsen auf Teilschuldver- schreibungen
160510	169528	169393	176020	173133	212522	256764	Verbindlichkeiten
—	4129	28491	36803	35117	41303	48317	Bankschulden
—	—	—	—	—	—	—	Vergütung auf Grund des Gesetzes über die Frei- gabe des deutschen Ei- gentums in USA
2482	1215	2079	4780	4994	6800	—	Gewinnvortrag
47013	49143	50981	51440	55434	48053	55180	Reingewinn
1528030	1458378	1446981	1467184	1471808	1558317	1623609	



# Balances

1932	1933	1934	1935	1936	1937	1938	on December 31 <sup>st</sup> (figures in 1000.— RM)
							<b>Aktiva</b>
432064	401807	395861	423109	432041	514658	604995	plants
291273	289525	290544	282689	278667	228593	310152	participations
15895	24705	31439	32392	29584	16985	11379	securities
8739	8739	—	—	—	—	—	own shares
178322	150498	129051	137945	138463	179685	203574	reserves
406043	382763	400780	431469	436082	448707	425695	outstanding debts
8318	8541	15196	19123	14840	29646	12741	cash-, exchange- and cheque-stocks
—	20315	54000	21837	29890	19929	—	treasury bonds
162418	153756	113869	102379	96000	103873	39200	bank assets
24958	17729	16241	16241	16241	16241	15873	extra charge on debentures per July 1, 1945
1528030	1458378	1446981	1467184	1471808	1558317	1623609	
							<b>Passiva</b>
680000	680000	680000	680000	680000	680000	680000	capital stock entitled for dividends
689348	689348	680000	680000	680000	680000	680000	paid capital stock
13394	13394	13394	13394	13394	40000	40000	paid preferred stock capital
200000	200000	200609	200609	200609	215903	218272	reserves
60000	60000	63000	65000	70000	72000	74000	allowances
249582	177291	162408	162408	162408	162408	166115	debentures of 1928
24958	17729	16241	16241	16241	16241	16612	agios on debentures per July 1, 1945
269	260	245	237	235	218	216	called-up debenture bonds
62000	62000	46400	46400	46400	48400	53650	social funds
3499	3704	3996	4108	4153	4725	4516	endowments
14975	10637	9744	9744	9744	9744	9967	interests on debentures
160510	169528	169393	176020	173133	212522	256764	liabilities
—	4129	28491	36803	35117	41303	48317	bank debts
—	—	—	—	—	—	—	renumerations on "Law of release of German property in USA."
2482	1215	2079	4780	4994	6800	—	profit balance carried forward
47013	49143	50981	51440	55434	48053	55180	net profit
1528030	1458378	1446981	1467184	1471808	1558317	1623609	



# INHALTS - ÜBERSICHT

## Die I.G. Farbenindustrie Aktiengesellschaft

Farbstoffe und Färbereihilfsprodukte .. .. .	16
Arzneimittel .. .. .	18
Stickstoff .. .. .	22
Synthetische Betriebsstoffe und Mineralöle .. .. .	25
Anorganische und organische Chemikalien .. .. .	26
Kunstseide, Zellwolle und synthetische Fasern .. .. .	30
Riechstoffe .. .. .	32
Agfa-Viskose-Schwämme .. .. .	32
Photographika .. .. .	32

## Allgemeine Angaben

Vorstand einschl. Zentral-Ausschuß .. .. .	35
Aufsichtsrat .. .. .	35
Abschlußprüfer .. .. .	35

## Entwicklung und Aufbau

Gründungsgeschichte .. .. .	37
Daten aus der Entwicklungsgeschichte .. .. .	40
Betriebsbeschreibung (Produktionsgebiete, Grundbesitz, Eisenbahntechnische Ausrüstung, Buchwert der Anlagen) .. .. .	50
Betriebs- und Verkaufs-Organisation, Zentrale Stellen .. .. .	51

## Interessengebiete der I.G.

Stickstoff, Öle, Gruben .. .. .	54
Farben, Chemikalien, Pharmazeutika .. .. .	54
Photographika, Kunstseide, Kunststoffe, Sonstiges .. .. .	55
Interessengemeinschafts- und Dividendengarantieverträge .. .. .	56
Vereinbarungen auf wichtigen Produktionsgebieten .. .. .	58
Pachtverträge .. .. .	60
Syndikate .. .. .	60

## Statistik

Geschäftsjahr, Hauptversammlung .. .. .	61
Kapital-Veränderungen .. .. .	61
Aktienkapital (nach dem Beschluß der Hauptversammlung vom 18.6. 1938) .. .. .	61
Stimmrecht .. .. .	62
Vorzugsaktien .. .. .	62
Verwendung des Reingewinns .. .. .	62
Teilschuldverschreibungen von 1928 .. .. .	62
Soziale Statistik: Gefolgschaft, soziale Aufwendungen, Jahresprämie, Übersicht über das Wohnungs- und Siedlungswesen der I.G., Erholungsheime .. .. .	64
Börsen-Notiz .. .. .	69
Kurse der Aktien und Teilschuldverschreibungen .. .. .	69
Dividenden .. .. .	69
Bilanzen für die Jahre 1925 bis 1938 .. .. .	70



BASIC INFORMATION DEFENSE  
Vol. B + Supplement I



Case 6  
Defense

Military Tribunal No. VI

Case No. VI

BASIC INFORMATION

on

I.G. FARBENINDUSTRIE

AKTIENGESellschaft

by defense

Vol. II

Submitted by

RA Friedrich SILCHER

On behalf of the defense.

Nuernberg, Germany  
April 2, 1948.



## I N D E X

### The I.G. Farbenindustrie Aktiengesellschaft

Dyestuffs and textile auxiliary products .....	16
Pharmaceuticals .....	18
Nitrogen .....	20
Synthetic fuels and mineral oils .....	25
Inorganic and organic chemicals .....	26
Rayon, artificial and synthetic fibres .....	30
Perfume bases .....	32
Agfa viscose sponges .....	32
Photographic articles .....	32

### General Statements

Vorstand (Managing board) incl. central committee ....	35
Aufsichtsrat (supervisory board) .....	35
Auditor for the business year 1938 .....	35

### Development and Organisation

Foundation history .....	37
Dates on the historical development .....	40
Description of the enterprise (fields of production, real estate holdings, railways, bookvalue of plants) .	50
Production and sales organisation, central departments	51

### Fields of Activity of I.G.

Nitrogen, synthetic fuels and mines .....	54
Dyestuffs, chemicals pharmaceuticals .....	54
Photographic articles, rayon, plastics and others ....	54
Agreements covering community of interests and guaran- tees for dividends .....	56
Agreements in important sectors of production .....	58
Lease-contracts .....	60
Syndicates .....	60

### Statistics

Fiscal year, stockholders meeting .....	61
Development of capital stock .....	61
Share-capital (accord. to resolution of stockholders meeting June 18, 1938) .....	61
Voting-right .....	62
Preferred shares .....	62
Use of the net profit .....	62
Debentures of 1928 .....	62
Social statistics: personnel, social expenditure, annual premium, survey of dwellings and settlements, recreation homes .....	64
Admission for trading into the stock exchange .....	69
Quotations of shares and debentures .....	69
Dividends .....	69
Balance sheets for the years 1925-1938 .....	70



BASIC INFORMATION DEFENSE, Vol. II

Doc. No.	Exh. No.	C o n t e n t s	Page
2		Affidavit Hermann WALTER, Wiesbaden, of 22 February 1948, with balance sheet for the years 1939 - 1944 (continuation of the balance sheets of 1925 - 1938 on page 70 - 71 of the "SILBERBROSCHURE" Basic Information, Volume I, Document No. 1)	1 - 4
3		Development of the share capital of the I.G. 1925 - 1945	5
4		Affidavit Hermann WALTER, Wiesbaden, of 25 March 1948, with a statement concerning the distribution of total proceeds from 1926 - 1944; further statements about the distribution of the "Political contributions" in the affidavit.	6 - 8
5		Chart to Document No. 4	9
6		Affidavit Hermann WALTER, Wiesbaden, of 22 February 1948, with statements concerning the total turnover of the I.G. 1926 - 1944, according to Germany and foreign countries with subsidiary statements for the various export groups.	10 - 17
7		Chart to Document No. 6	18
8		Affidavit Hermann WALTER, Wiesbaden, of 25 March 1948, about the share of the foreign countries in the turnover of nitrogen fertilizers. Supplement to Document No. 6 and 7.	19 - 20
9		Affidavit Hermann WALTER, Wiesbaden of 22 February 1948, with statements regarding the export turnover of the I.G. 1926, 1929, 1932, 1938, according to countries and export groups	21 - 30
10		Chart to Document No. 9 Map of the world with export figures and the places with representatives of the I.G.	31
11		Document ter Meer No. 61 Exh. 47 Volume III, page 20 Chart: I.G. Total turnover	-
12		Statement: Share of the I.G. in the entire German Industry and the German chemical industry for the years 1926, 1929, 1932 and 1938 regarding invested capital with affidavit of Dr. Erich PIWOWARCZYK, Hamburg-Bergedorf, of 17 March 1948	32 - 33

BASIC INFORMATION DEFENSE, Vol. II

Doc. No.	Exh. No.	C o n t e n t s	Page
13		Statement: Share of the I.G. in the German Industry and the entire German chemical industry for the years 1926, 1929, 1932 and 1938, regarding the Total Turnover with the affidavit of Dr. Erich PIOWARCZYK, Hamburg-Bergedorf, of 17 March 1948	34 - 35
14		Statement: "Export turnover." Share of the I.G. in the German total export, chemical world export and German chemical export for the years 1926, 1929, 1932 and 1938 with the affidavit Dr. Erich PIOWARCZYK, Hamburg-Bergedorf, of 17 March 1948	36 - 37
15		Statement: Share of the I.G. in the total German industry and the German chemical industry for the years 1926, 1929, 1932 and 1938 regarding the number of employees with the affidavit of Dr. Erich PIOWARCZYK, Bergedorf, of 17 March 1948.	38 - 39
16		Charts to Documents No. 12 - 15	40
17		Affidavit Dr. Erich PIOWARCZYK, Hamburg-Bergedorf, of 17 March 1948, with comparing statements concerning the firms: 1) E.J. Dupont De Nemour & Co. 2) Standard Oil Co. (New Jersey) 3) General Motors Corporation, 4) United States Steel Corporation, 5) Imperial Chemical Industries, Ltd. (I.C.I.) 6) I.G. Farbenindustrie Aktiengesellschaft, amongst others regarding:  working capital total turnover export turnover social contribution staff for the years 1926 - 1944	41 - 44
18		Charts to Document No. 17	45



# BASIC INFORMATION DEFENSE, Vol. II

Doc. No.	Exh. No.	C o n t e n t s	Page
19		Statement: Development of the National Income in USA and Germany 1929 to 1941 with affidavit Dr. Erich PIWOWARCZYK Hamburg-Bergedorf, of 17 March 1948	46 - 47
20		Chart to Document No. 19	48
21		Document Schneider No. 267, Exh. 37, Volume IX, page 17; Affidavit of Dr. Albrecht WEISS, Heidelberg, on Social Political Efficiency of the I.G.	-
22		Document Dr. von KNIEREM No. 7, Exh. 7, Book I, page 62 and 65; Total survey on patent applications and patents of the I.G., according to countries and branches 1938 and development of activities in patent applications of the I.G. 1929 to 1941	-
23		Document Dr. von KNIEREM No. 8, Exh. 8, Volume I, page 66 - 68; Affidavit Elisabeth REINDEL, Ludwigshafen, with survey on Farben's patent applications 1925 to 1941, especially mentioning the most important industrial countries.	-
25		<i>Model of a house</i>	
26		<i>List of I.G. Products in Housing and Building</i>	

A f f i d a v i t .

I am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true and that it was made for use as evidence at the Military Tribunal, Case VI, in the Palace of Justice, Nuremberg.

After having made the statement I declare the following on oath:

The separate items of the attached statement No. 4 headed:

"I.G. Farbenindustrie Aktiengesellschaft, balance sheets for the years 1939 to 1944"

have been taken from the ledgers and files of the Central Bookkeeping Department of the I.G. Farbenindustrie Aktiengesellschaft, Frankfurt on the Main, and conform completely and truly to these documents.

Wiesbaden-Biebrich, 22 February 1948.

(signed) Hermann Walter.



Basic Information Defense  
Doc. No. 2

I, Friedrich Silcher, Attorney-at-Law, herewith certify and confirm the above own signature of Hermann Walter, Wiesbaden-Biebrich, which has been affixed here in my presence on 25 March 1948.

(signed) Friedrich Silcher  
Attorney-at-Law.

I herewith certify that the above is a true and correct copy of the original document.

(signed) Friedrich Silcher  
Attorney-at-Law.

I. G. Farbenindustrie Aktiengesellschaft.

(Balance-sheets for the years 1939 - 1944)

Statement No. 4

(in thousands of Reichsmark)

Assets:	1939	1940	1941	1942	1943	1944
	-----	-----	-----	-----	-----	-----
Installations . . . . .	624 800	606 454	613 677	624 356	624 915	628 740
Shares . . . . .	341 233	399 906	691 342	719 778	726 825	748 047
Securities . . . . .	12 176	12 253	9 730	10 029	10 061	10 040
Own Shares . . . . .	-	-	-	-	-	-
Stocks . . . . .	185 952	183 491	225 616	356 895	384 832	388 291
Accounts receivable . . . .	571 067	537 399	615 548	785 358	918 125	1 075 647
Cash, bills of exchange, cheques . . . . .	15 883	15 717	16 181	12 782	20 159	77 366
Bank credits . . . . .	58 016	62 322	4 828	20 305	34 792	4 792
Premiums on bonds . . . . .	44 956	90 820	155 579	102 658	102 447	121 385
	14 302	14 302	-	-	-	-
	-----	-----	-----	-----	-----	-----
	1 868 385	1 923 664	2 332 801	2 632 161	2 822 156	3 054 308
	=====	=====	=====	=====	=====	=====

Basic Information Defense  
Doc. No. 2



<u>Liabilities:</u>						
Dividend bearing share capital	691 000	733 200	1 109 062	1 360 000	1 360 000	1 360 000
<hr/>						
Paid up share capital	691 000	723 200	1 125 000	1 360 000	1 360 000	1 360 000
"    " preferred share capital	40 000	40 000	40 000	40 000	40 000	40 000
Reserves . . . . .	230 928	241 105	319 353	344 182	344 182	344 182
Transference to reserve funds ..	77 000	90 000	93 000	96 000	100 000	136 973
Bonds 1928 and 1939 .....	286 151	286 311	106 303	105 977	105 976	105 976
Premiums on bonds .. .	20 615	20 631	2 630	2 598	2 598	2 598
Called in debenture loan .....	213	213	213	12	212	212
Benefit funds .....	58 650	63 650	-	-	-	-
Institutions .....	4 543	4 715	4 696	4 674	4 784	4 874
Interests on debentures .....	13 044	13 054	2 253	2 234	2 234	2 234
Liabilities .....	332 526	346 712	537 433	570 098	761 436	955 361
Bank debts .....	57 644	35 317	30 840	24 486	19 034	16 890
Compensation on the basis of leg. property UDA	-	-	-	-	-	-
Net-profit .....	56 071	58 756	71 080	81 700	81 700	85 008
<hr/>						
	1 868 385	1 923 664	2 332 801	2 632 161	2 822 156	3 054 308
<hr/>						

Hermann Walter

I, Friedrich Silcher, Attorney-at-law, herewith certify and confirm the above signature of Hermann Walter.

Munich, 24 March 1948.

Friedrich Silcher  
Attorney-at-law.



## DEVELOPMENT OF SHARE CAPITAL

( see "SILBERBROSCHURE" - BASIC INFORMATION defense doc. Nr. 1 vol. I p. 61 - statistics - capital changes )

sums in RM

	common shares	preferred shares A	preferred shares B	t o t a l	conditional capital	authorized capital
1925 At the date of merger .....	641 000 000	---	4 400 000	646 000 000		
1926 L. 9. Increase of capital by resolution of shareholders meeting .....	+ 258 400 000	+ 160 000 000	+ 35 600 000			
	900 000 000	160 000 000	40 000 000	1 100 000 000		
1928 L. 9. Increase and decrease of capital by resolution of shareholders meeting .....	+ 60 000 000	-/- 60 000 000	---			
	960 000 000	100 000 000	40 000 000	1 100 000 000		
1932 L. 5. Decrease of capital by resolution of shareholders meeting .....	-/- 110 000 000	---	---			
	850 000 000	100 000 000	40 000 000	990 000 000		
1934 L. 4. Decrease and conditional increase of capital by resolution of shareholders meeting .....	-/- 150 000 000	-/- 60 000 000	---		+ 176 868 600	---
	700 000 000	40 000 000	40 000 000	800 000 000	176 868 600	---
1938 Cancellation of shares by resolution of the board and, 18.6.38, creation of authorized by capital by resolution of shareholders meeting .....	-/- 40 000 000	-/- 40 000 000	---		---	+ 80 000 000
	660 000 000	---	40 000 000	720 000 000	176 868 600	80 000 000
1939 L. 9. Issue of authorized capital by resolution of the board .....	+ 11 000 000	---	---			-/- 11 000 000
	691 000 000	---	40 000 000	731 000 000		69 000 000
1940 L. 8. Issue of authorized capital by resolution of the board .....	+ 32 200 000	---	---			-/- 32 200 000
	723 200 000	---	40 000 000	763 200 000		36 800 000
1940 L. 12. Issue of authorized capital by resolution of the board .....	+ 10 000 000	---	---			-/- 10 000 000
	733 200 000	---	40 000 000	773 200 000		26 800 000
1941 L. 7. Issue of authorized capital by resolution of the board .....	+ 26 800 000	---	---			-/- 26 800 000
	760 000 000	---	40 000 000	800 000 000		---
1941 L. 8. Creation of new authorized capital by resolution of shareholders meeting .....	---	---	---			100 000 000
1942 L. 1. Issue of authorized capital by resolution of the board .....	+ 48 500 000	---	---			-/- 48 500 000
	808 500 000	---	40 000 000	848 500 000		51 500 000
1942 L. 12. Issue of conditional capital by change of convertible bonds of 1928 .....	+ 91 500 000	---	---		-/- 91 500 000	
	900 000 000	---	40 000 000	940 000 000	85 368 600	
1942 L. 12. Expiration of conditional capital by lapse of term for change of convertible bonds .....	---	---	---		-/- 30 150 900	
	---	---	---		55 217 700	
1942 L. 5. Adjustment of capital by resolution of the board .....	+ 225 000 000	---	---		+ 13 804 400	
	1 125 000 000	---	40 000 000	1 165 000 000	69 022 100	
1942 L. 7. Increase of capital by resolution of shareholders meeting .....	+ 255 000 000	---	---		---	---
(subscription right for shareholders 5 : 1 at par value)						
	1 380 000 000	---	40 000 000	1 400 000 000	69 022 100	51 500 000



A f f i d a v i t

I am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true and that it was made for use as evidence at the Military Tribunal, Case VI, in the Palace of Justice, Nuremberg.

After having made the above statement, I declare upon oath:

The separate items of the attached statement No. 1, with the heading "I.G. Farbenindustrie Aktiengesellschaft, distribution of total proceeds from 1926 to 1944".

are taken from the ledgers and files of the Central Bookkeeping Department of the I.G. Farbenindustrie Aktiengesellschaft Frankfurt on the Main and conform completely and truly to these documents.

The "Political contributions after 1933" mentioned in the footnote also include the contributions to the "Winterhilfswerk" (Winter Relief Work) and the "Adolf-Hitler-Spende" of the German Economy.

The proportion of the contributions to the "Winterhilfswerk" and the "Adolf-Hitler-Spende" for the years 1933 - 1940 can be seen from the following statement:

Year	Political contributions total amount in thousands of RM	% of turn- over	W.H.W.	Hitler- Spende
1933	3,770	0,42	1,264	700
1933	2,340	0,24	932	435
1935	2,430	0,22	984	650
1936	2,300	0,17	1,107	735
1937	2,630	0,18	1,344	828
1938	2,940	0,18	1,388	794
1939	2,720	0,13	1,250	992
1940	3,140	0,14	1,731	1,186
1941	2,400	0,10	2,054	
1942	3,400	0,12	2,905	
1943	4,670	0,15	3,968	
1944	3,440	0,13	3,271	

For the years 1941 and following the W.H.W. -contributions and the Adolf-Hitler Spende were not registered individually by the Central Bookkeeping Department, but only as a total amount for both contributions.

Nuremberg, 25 March 1948.

I, Friedrich Silcher, Attorney-at-Law, herewith certify and confirm the own signature of Hermann Walter, Wiesbaden-Biebrich.

Munich, 25 March 1948.

(signed) Friedrich Silcher  
Attorney-at-Law.

I certify that the above is a true and correct copy of the original.

(signed) Friedrich Silcher  
Attorney-at-Law.



I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT  
Distribution of the Total - Proceeds 1926 - 44  
( in Millions of Reichsmark )

### Basic information defense

Doc. No. 4

Sheet No. 1

	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944
Turnover .....	1029,-	1269,-	1420,-	1422,-	1156,-	1016,-	876,-	894,-	982,-	1095,-	1297,-	1515,-	1645,-	1988,-	2156,-	2540,-	2904,-	3116,-	2565,-
1) Operational expenses:																			
Raw materials, auxiliary materials for manufacture and maintenance, Services rendered by their parties and other expenditures .....	397,6	569,1	661,3	650,8	516,7	534,8	468,8	445,8	470,-	502,8	561,8	608,2	555,7	730,6	751,5	884,1	1082,7	1105,8	1046,1
(Freight, customs duties, agency expenses) xx)																			
2) Expenses for staff:																			
Salaries, wages, bonus, .....	232,6	251,4	294,7	311,-	270,6	211,5	169,5	174,6	203,7	222,2	245,9	290,7	336,5	360,-	377,8	421,-	437,7	480,5	488,1
Expenses for social security and welfare - compulsory .....	13,-	15,-	16,-	18,-	13,2	12,5	9,7	9,8	11,3	15,-	14,-	16,4	18,1	19,9	20,7	22,4	23,6	26,3	26,9
" "																			

x) For lack of records the figures are estimated.

Signed as enclosure to my affidavit of 22. 2. 48

Hermann Walter

The correctness of the copy is hereby certified:

Friedrich Silcher  
Solcher

The above own signature of Mr. Hermann Walter, Wiesbaden - Biebrich honoured by me, Solicitor Friedrich Slicher is hereby certified and attested.

Nürnberg, March 25th, 1948

Friedrich Silber  
Sollicher











Affidavit

I am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true, and that it was made for use as evidence at the Military Tribunal, Case VI, in the Palace of Justice, Nuremberg.

After having made this statement I declare upon oath:

The separate items of the attached statement No. 3 with the heading

"I.G. Farbenindustrie Aktiengesellschaft, total turnover in Germany and foreign countries with the corresponding supplementary statements

- 3a) Dyes and auxiliary products
- 3b) Chemicals
- 3c) Pharmaceuticals and protection of plants
- 3d) Photographic products

were taken from the ledgers and files of the Central Bookkeeping Department of the I.G. Farbenindustrie Aktiengesellschaft, Frankfurt/Main and conform completely and truly with these documents.

Wiesbaden-Biebrich, 22 February 1948

Hermann WALTER



Basic information defense  
Doc. No. 6

I, Friedrich SILCHER, Attorney-at-Law herewith confirm and certify the own signature of Herr Hermann WALTER, Wiesbaden-Biebrich, attached before me on this the 25th March 1948.

Nuernberg, 25 March 1948

Friedrich ILCHER  
Attorney-at-Law

I herewith certify that the above is a true and correct copy of the original document.

Friedrich SILCHER  
Attorney-at-Law

Statement No. 3

TOTAL TURNOVER

of the  
I.G. Farbenindustrie Aktiengesellschaft

(in million Reich Marks and percentages of the total turnover)

	<u>Germany</u>		<u>Foreign Countries</u>		<u>Total</u>
	RM	%	RM	%	RM
1926	612,7	59,5	416,5	40,5	1 029,2
1927	770,7	60,5	498,7	39,5	1 269,4
1928	847,6	59,6	572,5	40,4	1 420,1
1929	832,7	58,4	589,9 <sup>x)</sup>	41,6	1 422,6
1930	682,9	59,0	473,2	41,0	1 156,1
1931	542,6	53,4	473,4	46,6	1 016,0
1932	466,3	53,3	408,9	46,7	875,8
1933	485,4	54,0	408,7	46,0	894,3
1934	506,2	60,0	386,2	40,0	982,4
1935	685,9	63,7	406,8	37,3	1 092,7
1936	893,4	68,8	403,5	31,2	1 296,9
1937	1 067,5	70,5	447,1	29,5	1 514,6
1938	1 223,9	74,5	421,5	25,5	1 645,4
1939	1 536,8	77,0	451,0	23,0	1 987,8
1940	1 787,4	83,0	372,4	17,0	2 159,8
1941	2 099,2	83,0	440,8	17,0	2 540,0
1942	2 398,6	82,5	505,7	17,5	2 904,3
1943	2 501,0	80,3	614,6	19,7	3 115,6
1944	2 135,0	83,0	429,3	17,0	2 565,2

x) Note referring to export turnover 1929:

The above amount has been entered for 1929 in the books of the Central Bookkeeping Department. This amount included however turnovers which in later years were not considered as export turnover of the I.G. For that reason these amounts were not listed in the individual statements for 1929, in order to allow comparison to be drawn. Consequently the figures do not agree with those of the Central Bookkeeping Department in 1929.

Signed as enclosure 3 of my affidavit of 22 February 1948.

Munich, 25 March 1948.



Statement No. 3 a

a) DYES and AUXILIARY PRODUCTS

(in million Reich Marks and percentages of the total turnover)

	<u>Germany</u>		<u>Foreign Countries</u>		<u>Total</u>
	RM	%	RM	%	RM
1926	77,7	23,0	268,0	77,0	345,7
1927	112,0	27,6	293,2	72,4	405,2
1928	101,3	23,0	334,2	77,0	435,5
1929	106,0	25,0	300,3	75,0	406,3
1930	96,5	25,8	269,8	74,2	366,3
1931	91,4	25,7	263,0	74,3	354,4
1932	83,0	26,0	234,4	74,0	317,4
1933	98,8	30,0	230,2	70,0	329,0
1934	113,6	33,3	225,9	66,6	339,5
1935	108,2	31,6	232,4	68,4	340,6
1936	130,2	37,4	219,2	62,6	349,4
1937	142,5	37,0	243,0	63,0	385,5
1938	155,1	42,6	209,0	57,4	364,1
1939	189,3	45,0	208,9	55,0	398,2
1940	191,4	54,0	162,8	46,0	354,2
1941	212,8	60,0	142,5	40,0	355,3
1942	197,4	58,0	142,9	43,0	340,3
1943	171,0	52,0	157,0	48,0	328,0
1944	123,6	49,5	125,6	50,5	249,2

Signed as enclosure 3a to my affidavit of 22 February 1948.

Eurenberg, 25 March 1948.

Statement No. 3 b.

b) CHEMICALS.

(in million Reichsmarks and percentages of the total turnover):

	<u>Germany</u>		<u>Foreign Countries</u>		<u>Total</u>
	RM	%	RM	%	RM
1926	90.3	52.7	53.7	37.3	144.0
1927	129.5	63.7	74.2	36.3	203.7
1928	149.2	63.0	83.9	36.0	233.1
1929	156.1	59.4	106.6	40.6	262.7
1930	134.8	61.0	87.8	39.0	222.6
1931	107.0	57.6	78.9	42.4	185.9
1932	85.8	57.6	63.1	42.4	148.9
1933	100.7	59.5	68.4	40.5	169.1
1934	145.5	71.5	58.1	28.5	203.6
1935	202.3	75.3	66.5	24.7	268.8
1936	261.2	78.8	70.1	21.2	331.3
1937	342.0	81.9	75.7	18.1	417.7
1938	406.8	84.6	74.2	15.4	481.0
1939	580.9	88.0	79.2	12.0	660.1
1940	740.6	90.6	77.1	9.4	817.7
1941	928.7	87.5	132.4	12.5	1,061.1
1942	1,081.0	85.0	189.4	15.0	1,270.4
1943	1,238.8	86.8	188.4	13.2	1,427.5
1944	1,145.8	89.6	133.2	10.4	1,279.0

Signed as enclosure 3 b to my affidavit of 22 February 1948.

Nuremberg, 25 March 1948.



Statement No. 3a

c) Pharmaceuticals and Plant Protection

(in million Reichsmarks and percentages of the total turnover)

	<u>Germany</u>		<u>Foreign Countries</u>		<u>Total</u>
	RM	%	RM	%	RM
1926	18.9	21.3	69.6	78.7	88.5
1927	20.7	31.7	44.4	68.3	65.1
1928	24.0	32.0	51.0	68.0	75.0
1929	27.0	34.3	51.9	65.7	78.9
1930	26.7	33.6	51.8	66.4	78.5
1931	25.8	26.7	70.4	73.3	96.2
1932	23.9	28.0	61.8	72.0	85.7
1933	26.3	29.0	62.5	71.0	88.8
1934	27.5	31.4	60.1	68.6	87.9
1935	30.0	30.7	66.5	69.3	96.5
1936	31.9	31.0	71.1	69.0	103.0
1937	35.8	30.0	83.9	70.0	119.7
1938	44.0	32.6	90.3	67.4	134.3
1939	61.8	40.7	90.2	59.3	152.0
1940	79.9	51.0	75.5	49.0	155.4
1941	99.1	53.7	85.6	46.3	184.7
1942	122.3	57.7	89.4	42.3	211.7
1943	139.4	47.4	154.7	52.6	294.1
1944	136.6	61.0	88.4	39.0	227.0

Signed as enclosure 3 c to my affidavit of 22 February 1948.

Nuremberg, 25 March 1948.

Basic Information Defense  
Doc. No. 6

Statement No. 3 d.

d) Photographical products

(in million Reichsmarks and the percentage of the total turnover):

	<u>Germany</u>		<u>Foreign Countries</u>		<u>Total</u>
	RM	%	RM	%	RM
1926	17.4	42.0	23.0	58.0	41.3
1927	26.5	42.7	35.5	57.3	62.0
1928	37.7	44.6	47.1	55.4	84.8
1929	42.6	42.5	57.5	57.5	100.1
1930	39.9	44.8	43.7	52.2	83.6
1931	35.9	41.6	44.9	55.4	80.8
1932	35.9	50.3	35.8	49.7	71.7
1933	31.3	46.4	33.3	51.6	64.6
1934	32.9	50.0	32.6	50.0	65.5
1935	40.2	53.0	36.1	47.0	76.3
1936	46.1	55.3	37.1	44.7	83.2
1937	59.1	59.4	40.2	40.6	99.3
1938	65.9	60.7	42.8	39.3	108.7
1939	97.6	71.0	39.7	29.0	137.3
1940	109.0	72.4	41.7	27.6	150.7
1941	119.9	70.4	50.7	29.6	170.6
1942	121.5	69.5	53.4	30.5	174.9
1943	120.1	60.3	79.4	39.7	199.5
1944	114.9	70.0	49.3	30.0	164.2

Signed as enclosure 3 d to my affidavit of 22 February 1948.

Nuremberg, 25 March 1948.

(signed) Hermann Walter.

I, Friedrich Silcher, Attorney-at-Law, herewith certify and confirm that the above signature on the affidavit as well as the initials on the enclosures 3, 3a, 3b, 3c and 3d have been affixed by Hermann Walter,

Wiesbaden-Biebrich, in my presence.  
Nuremberg, 25 March 1948.

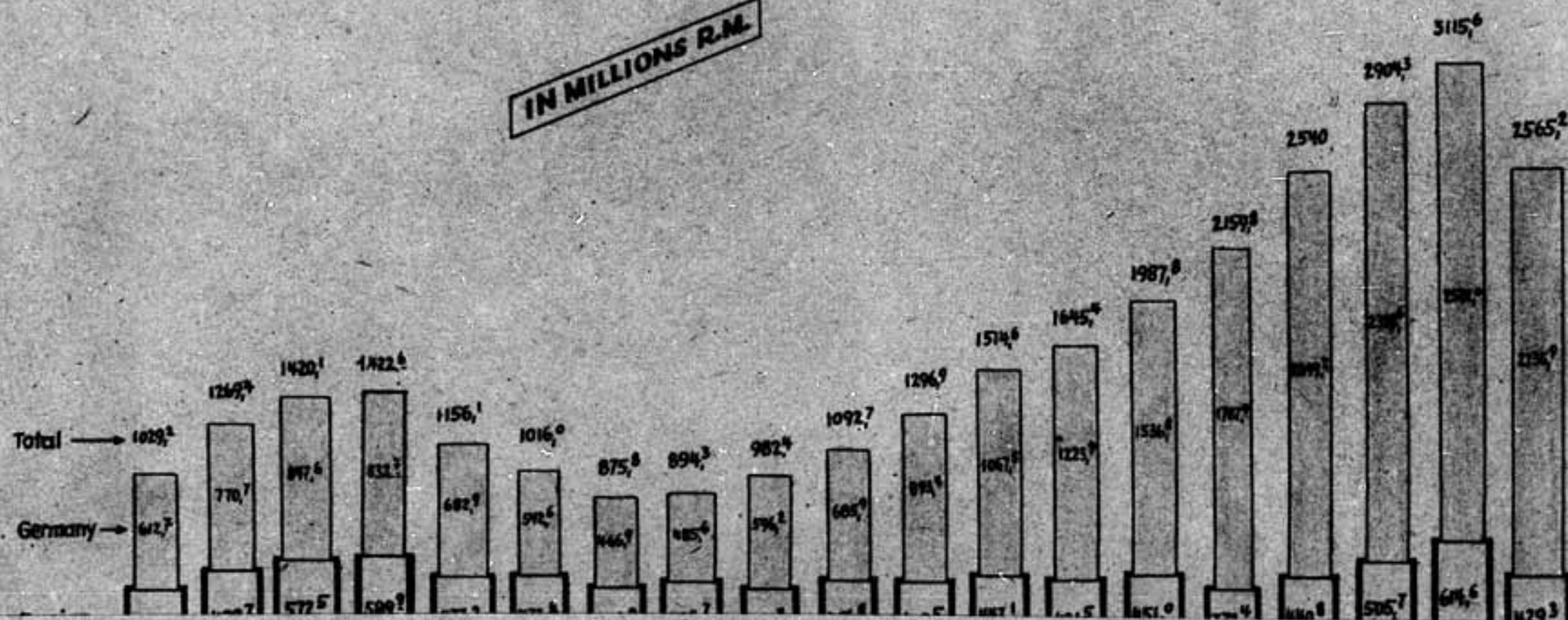
(signed) Friedrich Silcher  
Attorney-at-Law.



Dr. von Knierien  
Doc. No. 6

I herewith certify that the above is a true and correct copy  
of the original document.

(signed) Friedrich Silcher  
Attorney-at-Law.

**J.G. SALES****GERMANY: FOREIGN COUNTRIES****IN MILLIONS R.M.**



Affidavit

I, Hermann Walter, residing at Wiesbaden-Biebrich, am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true, and that it was made for use as evidence at the Military Tribunal No. VI in the Palace of Justice, Nuremberg, Germany.

On 23 February 1948 I have made an affidavit with the attached statement No. 3 on the total turnover of the I.G. Farbenindustrie Aktiengesellschaft in Germany and the foreign countries. In the files of the Central Bookkeeping Department and, therefore, also in this statement which is taken from the files of the Central Bookkeeping Department, the total turnover in nitrogen fertilizers is regarded as turnover within Germany because the deliveries were formally accounted for via the Stickstoffsyndikat G.m.b.H. in Berlin. The Nitrogen syndicate looked after the entire sale of the German Nitrogen industry in Germany, as well as abroad. Seen from the economical point of view the pro rata foreign sale of the Stickstoffsyndikat can be considered as pro rata foreign sale of the I.G..

According to the statement of the syndicate the foreign sale of nitrogen fertilizers by the I.G. can be seen from the following statement:

<u>Year</u>	<u>Amount in RM.</u>
1926	159,051,286.-
1927	182,898,768.-
1928	241,001,403.-
1929	191,692,635.-
1930	104,713,401.-
1931	61,232,434.-
1932	64,286,859.-
1933	43,305,303.-
1934	32,016,289.-
1935	44,310,046.-
1936	46,512,667.-
1937	41,337,209.-

No figures are available for the years after 1938, since the syndicate statement for the export business which never was ready before quite a long time after the end of the financial year, could not be completed due to the outbreak of the war in 1939.

Taking into consideration the above mentioned changes between the sales of the I.G. in Germany and in foreign countries the statement No. 3 would vary in the following way for the year in question:

Basic Information Defense  
Doc. No. 8

Year	Germany		Foreign Countries		Total
	RM	%	RM	%	RM
1926	453.7	44	575.5	56	1,029.2
1927	587.7	46.3	681.7	53.7	1,269.4
1928	606.6	42.8	813.5	57.2	1,420.1
1929	641	45	781.6	55	1,422.6
1930	578.2	50	577.9	50	1,156.1
1931	481.4	47.4	574.6	52.6	1,056
1932	402.6	46	473.2	54	875.8
1933	422.3	49.4	452	50.6	874.3
1934	564.2	57.5	418.2	42.5	982.4
1935	641.6	59	451.1	41	1,092.7
1936	846.9	65.3	450	34.7	1,296.9
1937	1,026.2	67.7	488.4	32.3	1,514.6

Nuremberg, 25 March 1948

(signed) Hermann Walter.

I, Friedrich Silcher, Attorney-at-Law herewith certify and confirm the own signature of Hermann Walter, Wiesbaden Biebrich, which has been attached in my presence on 25 March 1948.

Nuremberg, 25 March 1948.

(signed) Friedrich Silcher  
Attorney-at-Law.

I certify and confirm that the above is a true and correct copy of the original document.

(signed) Friedrich Silcher  
Attorney-at-Law.



A f f i d a v i t

I am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true and that it was made for use as evidence at the Military Tribunal, Case VI, in the Palace of Justice, Nuernberg.

After having made the above statement, I declare upon oath: The separate items of the attached statement No. 2 with the heading:

"I.G. Farbenindustrie Aktiengesellschaft, export turnover, according to countries and departments, pages 1 - 6, as well as an appendix to statement No. 2"

are taken from the ledgers and files of the Central Bookkeeping Department of the I.G. Farbenindustrie Aktiengesellschaft, Frankfurt on the Main and conform completely and truly to these documents.

Wiesbaden-Biedrich, 23 February 1948.

(signed) Hermann Walter.

I, Friedrich Silcher, Attorney-at-Law, herewith confirm and certify the own signature of Hermann Walter, Wiesbaden-Biedrich, which has been affixed in Nuernberg in my presence on 25 March 1948.

Nuernberg, 25 March 1948.

(signed) Friedrich Silcher.  
(Attorney-at-Law.

I Certify that the above is a true and correct copy of the original document.

(signed) Friedrich Silcher  
Attorney-at-Law.

Basic Information defense

Doc. Nr. 9

List No 2, page 1.

I.G. Farbenindustrie Aktiengesellschaft

Export turn-over listed as to countries and columns (in thousand RM)

country	year	dye stuffs	chemicals	pharmaceuticals plant protection prod.	photogr. art. synth. perfumes prod.	rayon staple fibre	total
Denmark	1926	1411	396	410	352	5	2 576
	1929	1922	1 059	1 046	1 003	294	5 324
	1932	2214	935	630	1 022	419	5 220
	1938	2335	1 587	1 042	1 648	4	6 616
Norway	1926	1241	546	157	186	16	2116
	1929	1635	1 986	306	412	349	4 688
	1932	1977	750	282	420	160	3 589
	1938	1490	952	579	755	-	3 776
Sweden	1926	4620	1 338	448	763	15	7 184
	1929	5967	3 763	854	1 445	960	12 989
	1932	5794	2 343	707	1 966	723	11 533
	1938	5 712	3 192	1 088	2 542	98	12 632
Finland and the Baltic countries	1926	3434	582	505	414	-	4 935
	1929	3390	959	1 048	760	246	6 403
	1932	3742	970	933	479	302	6 426
	1938	4202	1 474	1 685	811	151	8 823
Russia	1926	18712	3 329	393	967	-	23 401
	1929	7933	6 623	792	8 406	36	22 890
	1932	1125	1 832	93	740	-0	3 790
	1938	1155	1 849	17	30	-	3 051



country	year	dye- stuffs	chemicals	pharmaceu- tica plant protectian prod.	photogr.art. synth.parfumes	rayon staple-fibre	total
Poland	1926	5 935	1256	881	208	-	8 279
	1929	8 917	1830	1560	750	519	13 576
	1932	4 802	1660	1378	403	384	8 627
	1938	4 826	1402	1669	980	57	8 934
Czecho-Slova- kia	1926	15 532	722	1122	666	75	18 117
	1929	20 615	2550	1870	1482	1968	28 483
	1932	14 967	1734	7863	1601	1320	27 485
	1938	11 471	2200	1726	1230	375	17 002
Austria	1926	4 626	1118	1089	942	49	7 824
	1929	6 857	3190	1943	1721	613	14 324
	1932	5 317	1558	5413	1981	475	14 744
	1938	6 908	3595	2779	4167	1684	19 133
Hungaria	1926	2 801	649	859	474	-	4 763
	1929	4 132	974	1635	850	695	8 286
	1932	4 580	1182	1111	536	1078	8 487
	1938	10 024	3061	1756	1463	350	16 654
Roumania	1926	3930	358	1114	270	170	4 942
	1929	4186	702	2054	820	1261	9 043
	1932	5360	734	1685	380	498	8 657
	1938	10205	1835	4206	1643	323	18 112
Bulgaria	1926	1373	56	224	24	1	1 678
	1929	1084	107	590	95	-	1 876
	1932	1942	237	546	93	-	2 818
	1938	2409	304	999	230	11	3 953

## Basic information defense

Doc. Nr. 9

country	year	dye-stuffs	- 3 - chemicals	pharmaceuticals plant, protection prod.	photogr. ant. synth. parfums	rayon staple fibre	total
Yugo-Slavia	1926	1 924	361	516	175	-	2 976
	1929	2 903	1 256	1 506	354	534	6 553
	1932	2 598	722	1 184	328	378	5 210
	1938	4 166	1 447	1 909	820	154	8 496
Switzerland	1926	5 893	4 503	542	704	5	10 847
	1929	8 338	10 033	1 229	1 665	430	21 695
	1932	5 509	4 070	958	1 804	496	13 637
	1938	6 173	3 371	1 194	1 262	329	12 329
Italy	1926	15 268	2 228	2 967	2 131	-	22 014
	1929	17 059	6 001	4 367	3 396	22	30 845
	1932	11 713	4 042	5 146	2 736	91	23 734
	1938	6 969	4 741	6 555	2 894	14	21 173
Spain	1926	7 237	968	2 872	699	58	11 834
	1929	4 000	2 066	5 131	2 519	2 170	15 886
	1932	5 354	1 655	3 989	1 361	562	12 921
	1938	2 600	1 847	6 004	563	42	11 053
Portugal	1926	1 593	145	279	33	43	2 093
	1929	1 685	224	588	249	233	2 979
	1932	2 043	279	556	141	63	3 802
	1938	2 229	303	1 019	207	0	3 758
France	1926	2 857	1 521	120	847	-	5 345
	1929	7 520	7 578	1 107	3 645	309	20 159
	1932	6 422	3 541	1 185	6 226	153	17 527
	1938	4 700	3 209	823	2 571	-	11 303



- 4 -

country	year	dye-stuffs	chemicals	pharmaceu- ticals plant pro- tection prod.	photogr.art. synth.parfumes	rayon staple fibre	total
Belgium and Luxemburg	1926	6620	2 000	674	153	6	9 453
	1929	9029	2 931	1 438	1 267	223	14 888
	1932	6243	2 632	1 534	1 079	60	11 556
	1938	5275	1 805	2 228	991	11	10 301
Holland	1926	7030	4 285	1 202	478	0	12 895
	1929	10761	6 917	1 641	1619	30	20 068
	1932	7302	4 248	2 057	1033	82	15 622
	1938	6902	3 766	1 826	1367	36	14 097
Greece and Albania	1926	694	206	153	92	-	1 145
	1929	1042	246	640	176	-	2 104
	1932	723	253	611	112	0	1 699
	1938	849	516	1 516	229	-	3 110
England and Ireland	1926	9684	4 199	606	953	5	15 447
	1929	16358	6 559	29	3701	196	26 843
	1932	16415	3 965	214	1510	9	22 122
	1938	13984	6 629	1 043	3871	2	25 529
Egypt	1926	1779	220	404	131	-	2 534
	1929	1298	325	869	175	47	2 718
	1932	973	279	1 070	163	2	2 487
	1938	1136	194	1 621	245	1	3 197
other African territory	1926	157	328	205	104	-	794
	1929	283	229	541	480	./.	1 526
	1932	412	208	843	517	1	2 061
	1938	309	763	1 910	901	-	3 983

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photogr. art. synth. perfumes	rayon staple fibre	total
Turkey	1926	761	195	396	73	1	1 426
	1929	809	159	870	246	45	2 123
	1932	949	197	923	65	194	2 320
	1936	1 941	646	2 165	168	33	4 953
Near-East	1926	2 661	26	231	71	-	2 909
	1929	1 776	117	639	226	141	2 899
	1932	1 783	135	657	109	90	2 722
	1936	3 059	571	1 197	231	89	5 147
British India and British Settl.	1926	26 017	540	903	507	-	27 967
	1929	26 637	2 361	2 004	1 423	292	32 717
	1932	26 287	2 595	1 979	1 654	12	32 503
	1936	24 740	1 777	5 242	2 969	-	34 740
Siam and Philippines	1926	1 021	6	210	58	-	1 303
	1929	1 040	42	237	219	-	1 530
	1932	672	50	221	111	-	1 054
	1936	810	46	530	256	-	1 642
Dutch East Indies	1926	8 917	452	1 574	345	-	11 206
	1929	9 607	329	3 057	551	-	13 544
	1932	6 619	324	2 161	662	-	9 766
	1936	5 766	446	2 409	657	-	9 270
China	1926	45 414	4 001	1 205	1 109	-	51 729
	1929	49 131	4 577	2 575	1 796	1 923	60 002
	1932	26 740	3 083	2 600	1 207	950	34 916
	1936	16 144	1 778	3 562	1 473	4	24 961



country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photogr.art synth.perfumes	rayon staple fibre	total
Japan	1926	31 521	3 011	4 956	2 636	16	42 140
	1929	27 030	6 136	7 736	3 174	16	44 094
	1932	19 868	4 684	5 650	1 935	1	32 130
	1938	9 586	3 476	3 419	477	-	16 958
U.S.A.	1926	9 734	9 116	11 452	5 705	71	36 158
	1929	15 896	17 487	485	9 477	1 545	44 890
	1932	10 271	5 492	2 075	905	1 267	20 010
	1938	6 674	7 746	747	740	2	15 936
Canada	1926	2 132	1 565	1 236	264	-	5 197
	1929	2 232	1 635	65	236	86	4 254
	1932	2 722	603	320	3	136	3 792
	1938	2 577	473	38	9	-	3 097
Mexico	1926	4 479	747	4 455	360	20	10 077
	1929	4 311	1 212	196	775	1 071	7 565
	1932	3 959	733	725	316	822	6 595
	1938	3 251	1 110	3 484	447	7	8 299
Zentral-Amerika	1926	165	47	2 055	216	-	2 523
	1929	246	216	102	310	210	1 086
	1932	316	240	434	69	59	1 118
	1938	442	202	1 453	209	3	2 303
Brasilien	1926	6 764	1 001	7 060	478	-	15 311
	1929	7 209	994	306	1 276	1 834	11 629
	1932	6 044	678	1 236	893	84	11 135
	1938	7 602	1 789	7 115	1 067	28	17 001

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection pr.d.	photo-gr. art. synth.perfumes	rayon staple fibre	total
Argentina	1926	2 026	567	0 204	480	19	11 296
	1929	2 767	1 317	427	570	693	6 194
	1932	2 897	850	1 231	649	713	6 340
	1938	3 070	876	5 160	1 619	-	10 733
Chile	1926	1 161	216	2 878	155	6	4 436
	1929	1 423	641	127	452	158	2 601
	1932	1 372	237	275	218	110	2 212
	1938	1 591	419	1 751	422	61	4 244
South-America	1926	2 139	356	5 303	257	-	8 055
	1929	3 050	600	272	545	316	5 191
	1932	2 759	526	1 004	518	415	5 222
	1938	3 210	1 236	6 614	570	27	12 057
Australia and New Zealand	1926	387	695	294	34	59	1 469
	1929	1 159	1561	14	522	305	3 561
	1932	1 529	1 714	93	153	416	3 905
	1938	1 122	1 644	288	741	1	3 796
Total-exports	1926	267 970	53 757	69 629	24 602	648	416 606
	1929	300 350	106 596	51 900	59 590	19 762	530 220
	1932	234 362	63 050	61 800	37 086	12 511	406 609
	1938	209 094	74 194	90 396	44 095	3 924	421 703



Export, inland and total turnover of the years 1926, 1929, 1932, 1938

Appendix to list no. 2

	dye-stuffs		chemicals		pharmaceuticals plant.protection prod.		photogr.art. synth.perfumes		rayon staple fibre		Total	
	RM	%	RM	%	RM	%	RM	%	RM	%	RM	%
total-exports 1926	267 970	77,5	59 757	37,3	69 629	76,7	24 602	57,7	640	13,2	416 606	66,5
inland	77 700	22,5	90 900	62,7	18 900	21,3	18 000	42,3	4300	86,8	209 200	33,5
sum	345 670	100	144 057	100	88 529	100	42 602	100	4940	100	625 806	100
total-export 1929	900 358	74,0	106 598	40,6	51 900	68,4	59 590	57,8	19 782	35,4	538 228	59,5
inland	106 000	26,0	156 100	59,4	24 000	31,6	43 500	42,2	36 100	64,6	365 700	40,5
sum	406 358	100	262 698	100	75 900	100	103 090	100	55 882	100	903 928	100
total-export 1932	234 362	74,0	63 050	42,4	61 800	72,1	37 068	50,2	12 511	30,5	408 809	61,3
inland	83 000	26,0	85 000	57,6	23 900	27,9	36 700	49,8	28 400	69,5	257 800	38,7
sum	317 362	100	148 850	100	85 700	100	73 766	100	40 911	100	666 609	100
total-export 1938	209 094	57,4	74 194	18,2	90 396	67,3	44 095	39,6	3 924	2,6	421 703	34,0
inland	155 100	42,6	406 800	81,8	44 000	32,7	67 900	60,4	147200	97,3	620 400	66,0
sum	364 194	100	480 994	100	134 396	100	111 995	100	151 124	100	1242 103	100

The above signature on the affidavit as well as the initials on the statement No. 2, page 1 - 2, with appendix, have been affixed by Hermann Walter, Wiesbaden-Biebrich, in my presence.

Muernberg, 25 March 1943.

(signed) Friedrich Silcher  
Attorney-at-Law.

I certify that the above is a true and correct copy of the original document.

(signed) Friedrich Silcher  
Attorney-at-Law.



IN MILLIONS RM



# JG-FOREIGN SALES AND AGENCIES





Invested Capital:  
=====  
(in millions of Rk.)

Year	German Industry	Chemical Industry	Share of the I.G. Farben
1926 . . . . .	19 420	1,590 = 8.11 %	747 = 3.84 % =46.98 %
1929 . . . . .	26.470	2,190 = 8.27 %	1,062 = 4.01 % =48.49 %
1932 . . . . .	25.420	1,980 = 7.78 %	952 = 3.74 % =48.08 %
1938 . . . . .	20.350	2,140 =10.51 %	962 = 4.73 % =44.95 %

-----  
Sources:

Yearbook of Statistics of the German Reich  
Quarterly Copies to the Yearbook of Statistics of the German  
Reich,  
Business reports of the I.G.

-----  
I, Dr. Erich Piwowarczyk, Hamburg Bergedorf, have been informed that I render myself liable to punishment by making a false affidavit. I declare upon oath that my statement is true and has been made voluntarily and without coercion, in order to be submitted to the Military Tribunal No. VI in the Palace of Justice in Nuremberg (Germany). ✓

The figures of the above survey "Invested Capital" have been taken from the sources mentioned above and conform completely and truly to these documents.

Nuremberg, 17 March 1948.

(signed) Dr. Erich Piwowarczyk.



I, Friedrich Silcher, Attorney-at-Law, herewith certify and confirm that the above own signature has been affixed by Dr. Erich Piwowarczyk, Hamburg-Bergedorf, in my presence on 17 March 1948.  
Nuremberg, 17 March 1948.

(signed) Friedrich Silcher.

I certify that the above is a true and correct copy of the original Document.

(signed) Friedrich Silcher  
Attorney-at-Law.

Total Turnover.  
=====

(in millions of RM)

Year	German Industry	Chemical Industry	Share of the I.G. Farben
1926 . . . . .	47,607	3,589 = 7.53 %	1,029 = 2.16 % = 28.67 %
1929 . . . . .	68,358	4,686 = 6.85 %	1,423 = 2.03 % = 30.34 %
1932 . . . . .	33,496 *)	2,750 = 8.29 %	876 = 2.61 % = 31.85 %
1938 . . . . .	80,820 *)	6,500 = 8.04 %	1,645 = 2.03 % = 25.30 %

\*) Calculated from the total turnover of the German Reich, with the years 1928, 1930, 1931, 1935 and 1936 taken as basis during which period the industrial turnover amounted to an average of 36 % of the German total turnover.

Sources:

The Statistics of the German Reich, Volume 361, 399, 511/I., II.  
Special treatises to the statistics of the German Reich No. 43.  
Files of the Central Bookkeeping Department of the I.G.

I, Dr. Erich Piwowarczyk, Hamburg-Bergdorf, have been cautioned that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true, and that it was made for use as evidence at the Military Tribunal No. VI in the Palace of Justice, Nuremberg (Germany).

The figures of the above survey "Total Turnover" have been taken from the sources quoted above and conform truly and completely to these documents.

Nuremberg, 17 March 1948.

(signed) Dr. Erich Piwowarczyk.



Basic information defense  
Doc. No. 13

I, Friedrich SILCHER, Attorney-at-Law, herewith certify and confirm that the above own signature of Dr. Erich PIWOMARCZYK, Hamburg-Bergedorf, has been affixed in my presence on 17 March.

Huremberg, 17 March 1948.

Friedrich SILCHER

I herewith certify that the above is a true and correct copy of the original document.

Friedrich SILCHER  
Attorney-at-Law

EXPORT TURNOVER

(in millions of Reichmark)

Year	German Total Turnover	Chemical World export	German chemical export	Share of the I.G.
1926	10 400	3 900	1 062 = 10.31% = 27.23%	416 = 4.00% = 10.66% = 39.17%
1929	13 500	5 400	1 744 = 12.92% = 32.29%	538 = 3.98% = 9.96% = 30.85%
1932	5 500	2 500	901 = 15.80% = 36.04%	409 = 7.17% = 16.36% = 45.39%
1938	5 300	3 100	794 = 14.98% = 25.61%	421 = 7.94% = 13.58% = 53.02%

Sources:

"Institut fuer Konjunkturforschung", 1939, No. 14  
"Wirtschaftsdienst" (Hamburg), 1929, No. 14; 1931, No. 26; 1933, No. 31,  
1934, No. 9.  
"Die Chemische Industrie", 1935, No. 25 and 42; 1939, No. 1 and 28.  
Files of the Central Bookkeeping Department of the I.G.

I, Dr. Erich PIWOWARCZYK, Hamburg-Bergedorf, am aware that I render myself  
liable to prosecution if I make a false statement on oath, I declare on oath  
that my statement is true, and that it was made for use as evidence at the  
Military Tribunal No. VI, in the Palace of Justice, Nuremberg.

The figures of the above survey "export turnover" have been taken from the  
sources mentioned above and conform truly and completely to these documents.

Nuremberg, 17 March 1948.

Dr. Erich PIWOWARCZYK



I, Friedrich Silcher, Attorney-at-Law, herewith certify and confirm that the above own signature of Dr. Erich Piwowarsyk, Hamburg-Bergedorf, has been affixed here in my presence on 17 March 1948.

Harenberg, 17 March 1948.

(signed) Friedrich Silcher

I certify that the above is a true and correct copy of the original document.

(signed) Friedrich Silcher  
Attorney-at-Law.

NUMBER OF EMPLOYEES

(in thousands)

Years	Industry	German Chemical Industry	Share of the I.G. Farben
1926.....	5 323*)	350 = 6,57%	94 = 1,76% = 26,85%
1929.....	7 179	321 = 4,47%	98 = 1,36% = 30,53%
1932.....	4 401	224 = 5,09%	66 = 1,49% = 29,46%
1938///...	8 804	452 = 5,13%	135 = 1,53% = 29,86%

\*) Calculated on the basis of the years 1929 - 1940 during which period an average of 40,8% of all employees were employed in the industry. The total number of employees in Germany amounted to 13,049 millions in 1926.

Sources:

"Die Ergebnisse der Arbeitsbucherhebung vom 25.6.1938"  
"Wirtschaftsdienst" (Hamburg, 1929, No. 27)  
"Statistisches Jahrbuch des Deutschen Reiches"  
"Vierteljahrhefte der Statistik des Dt. Reiches"  
Files of the Central Bookkeeping Department of the I.G.

I, Dr. Erich PIWOWARCZYK, Hamburg - Bergedorf, am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true, and that it was made for use as evidence at the Military Tribunal VI, in the Palace of Justice, Nuremberg, (Germany).

The figures of the above survey "Number of employees" have been taken from the sources mentioned above and conform completely and truly to these documents.

Nuremberg, 17 March 1948

Dr. Erich PIWOWARCZYK



Basic information defense  
Doc. No. 15

I, Friedrich SILCHER, herewith certify and confirm the above signature of Dr. Erich PIOWARCZYK, Hamburg-Bergedorf, affixed here in my presence on 17 March 1948.

Nuremberg, 17 March 1948.

Friedrich SILCHER

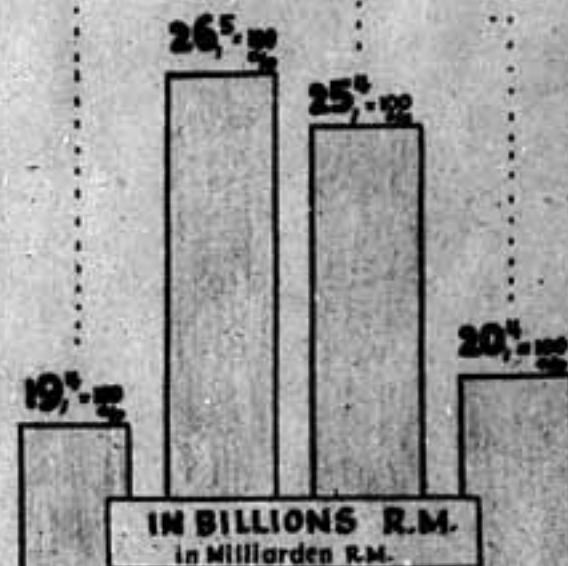
I certify that the above is a true and correct copy of the original document.

Friedrich SILCHER  
Attorney-at-Law



# GERMANY'S INVESTED CAPITAL DEUTSCHLANDS INVESTIERTES KAPITAL

1926 1929 1932 1938



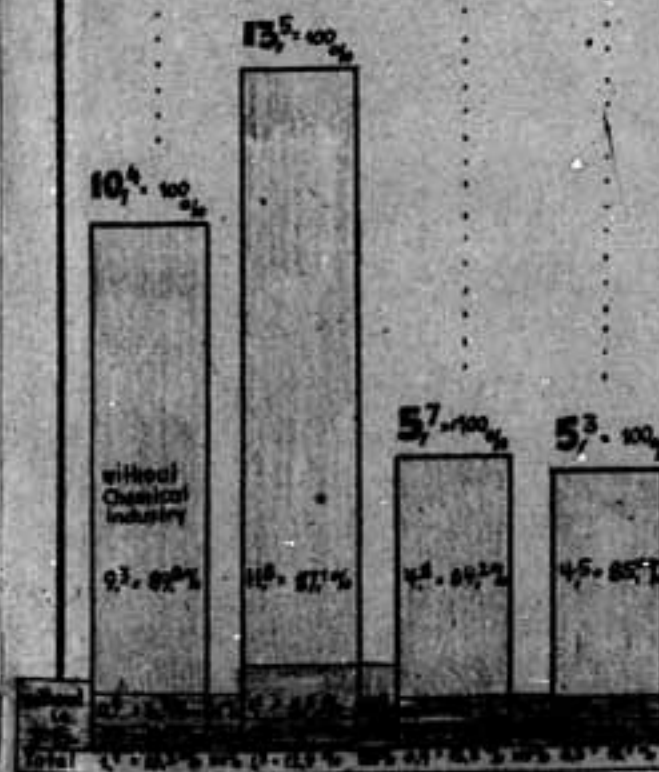
# GERMANY'S TOTAL TURNOVER DEUTSCHLANDS GESAMT-UMSATZ

1926 1929 1932 1938



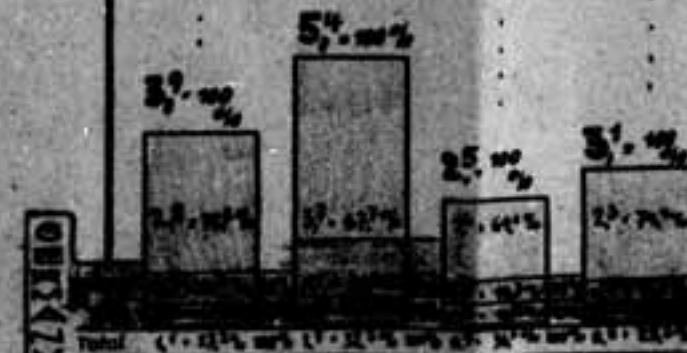
# GERMANY'S EXPORT TURNOVER DEUTSCHLANDS EXPORT-UMSATZ

1926 1929 1932 1938



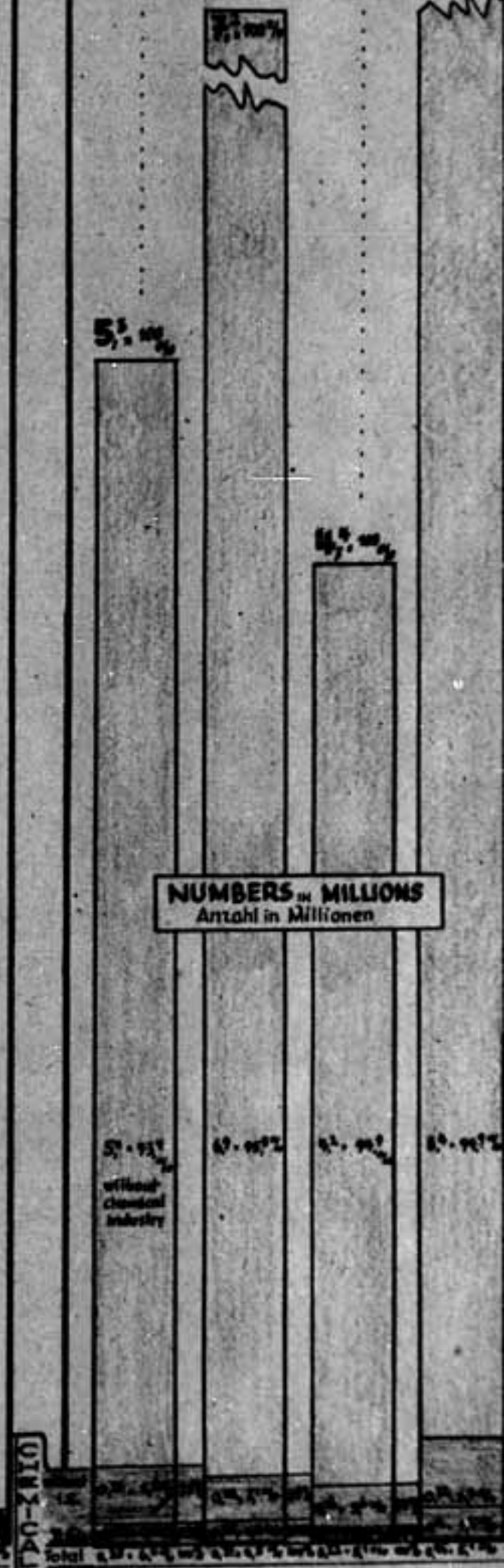
# CHEMICAL EXPORT WORLD : GERMANY : J.G.

1926 1929 1932 1938



# GERMANY'S NUMBER OF STAFF DEUTSCHLANDS ANZAHL AN BESCHÜFTIGTEN

1926 1929 1932 1938





# INVESTED CAPITAL ANLAGEN UND INVESTIERTES KAPITAL

1929 1932 1938



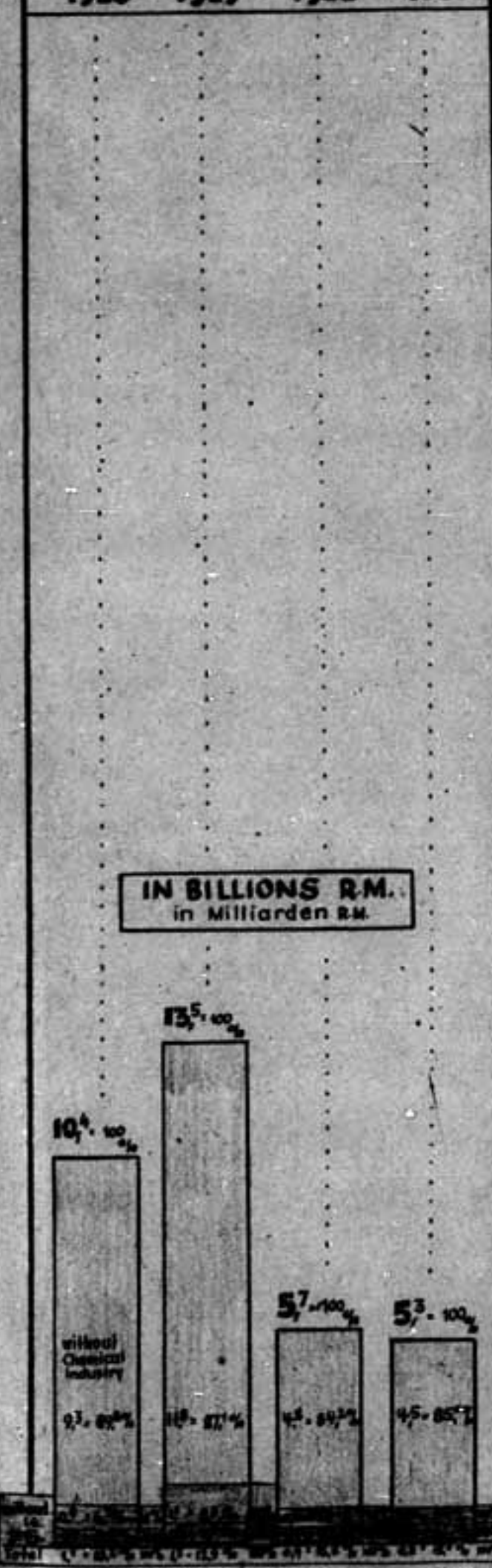
# GERMANY'S TOTAL TURNOVER DEUTSCHLANDS GESAMT-UMSATZ

1926 1929 1932 1938



# GERMANY'S EXPORT TURNOVER DEUTSCHLANDS EXPORT-UMSATZ

1926 1929 1932 1938



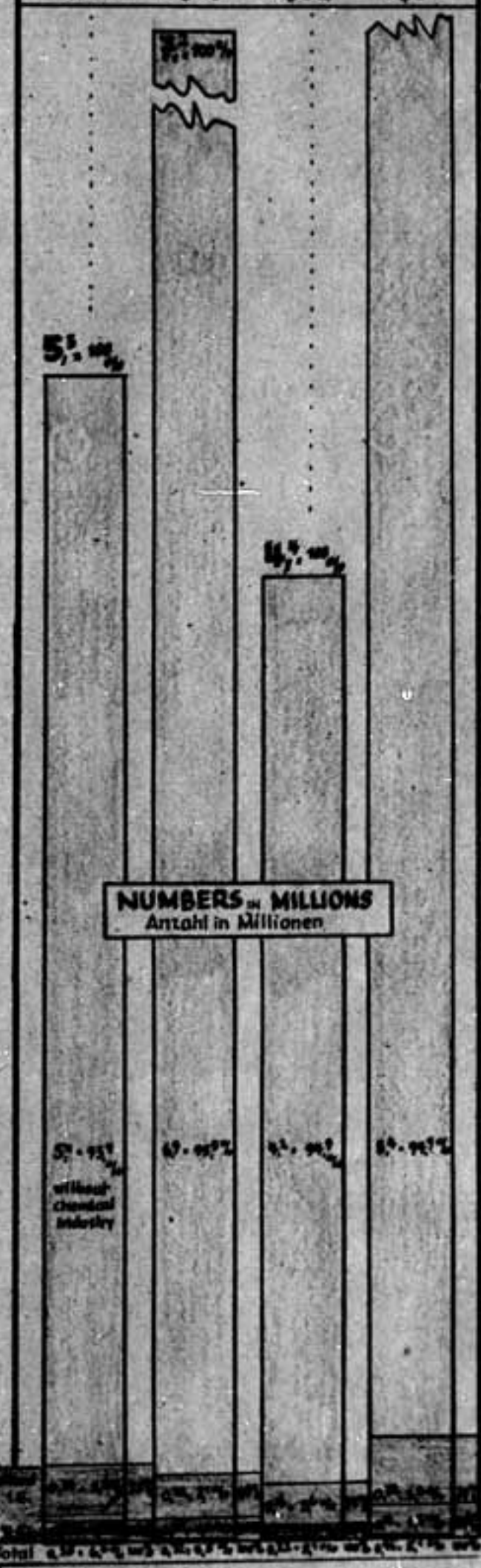
# CHEMICAL EXPORT WORLD : GERMANY : J.G.

1926 1929 1932 1938



# GERMANY'S NUMBER OF STAFF DEUTSCHLAND/ ANZAHL der Beschäftigten

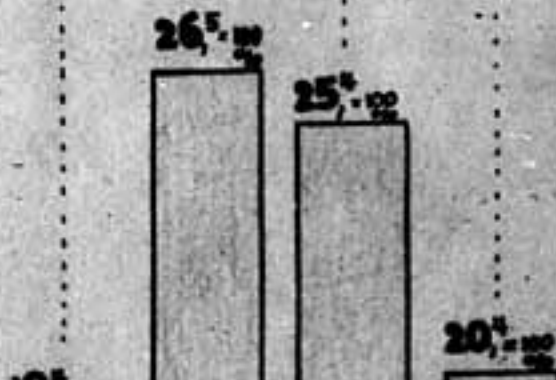
1926 1929 1932 1938





# GERMANY'S INVESTED CAPITAL DEUTSCHLANDS INVESTIERTES KAPITAL

1926 1929 1932 1938

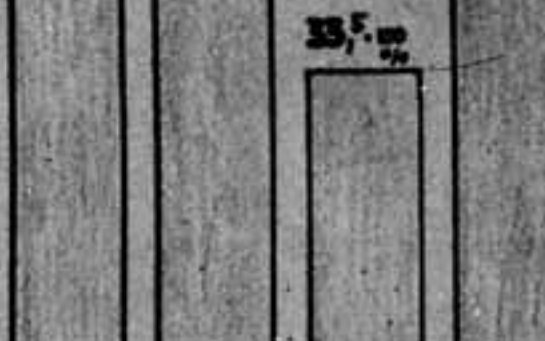


IN BILLIONS R.M.  
in Milliarden R.M.

without Chemical Industry

# GERMANY'S TOTAL TURNOVER DEUTSCHLANDS GESAMT-UMSATZ

1926 1929 1932 1938

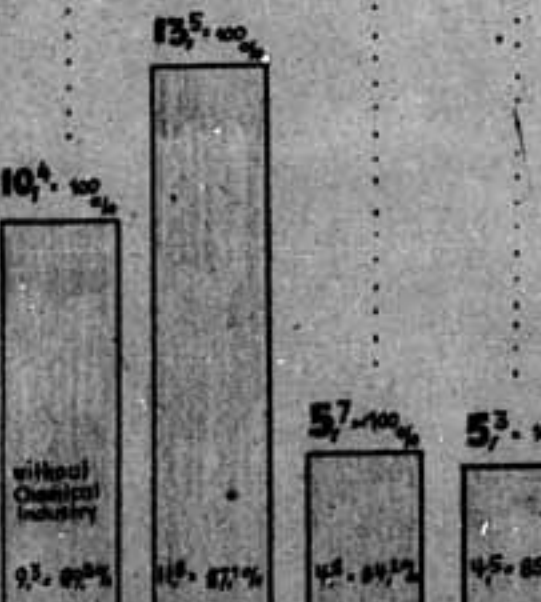


IN BILLIONS R.M.  
in Milliarden R.M.

without Chemical Industry

# GERMANY'S EXPORT TURNOVER DEUTSCHLANDS EXPORT-UMSATZ

1926 1929 1932 1938



IN BILLIONS R.M.  
in Milliarden R.M.

without Chemical Industry

# CHEMICAL EXPORT WORLD : GERMANY : J.G.

1926 1929 1932 1938

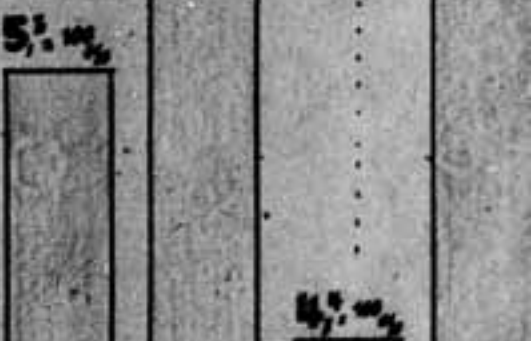


IN BILLIONS R.M.  
in Milliarden R.M.

without Chemical Industry

# GERMANY'S NUMBER OF STAFF DEUTSCHLAND/ANLAGE an-Beschäftigte

1926 1929 1932 1938



NUMBERS IN MILLIONS  
Anzahl in Millionen

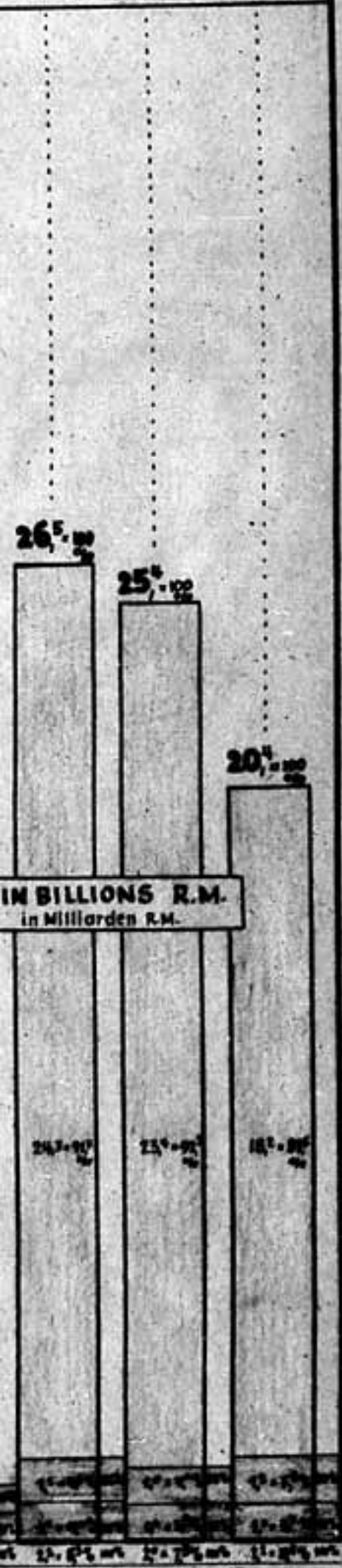
without Chemical Industry



# INVESTED CAPITAL

## DEUTSCHLANDS INVESTIERTES KAPITAL

1919 1932 1938



# GERMANY'S TOTAL TURNOVER

## DEUTSCHLANDS GESAMT-UMSATZ

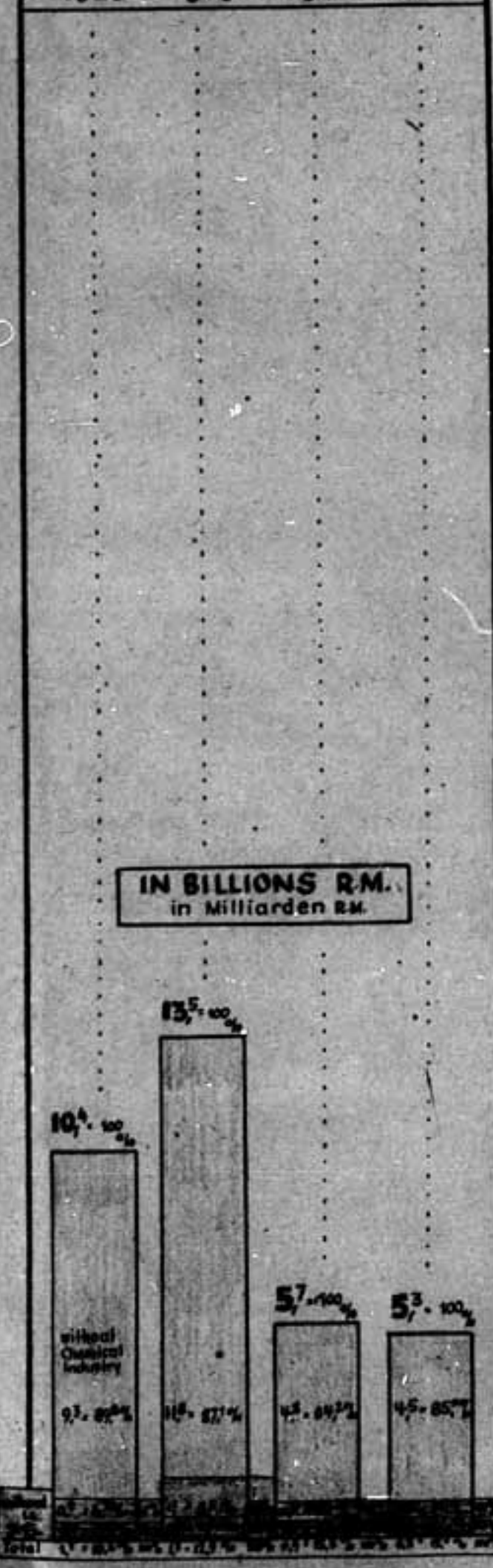
1926 1929 1932 1938



# GERMANY'S EXPORT TURNOVER

## DEUTSCHLANDS EXPORT-UMSATZ

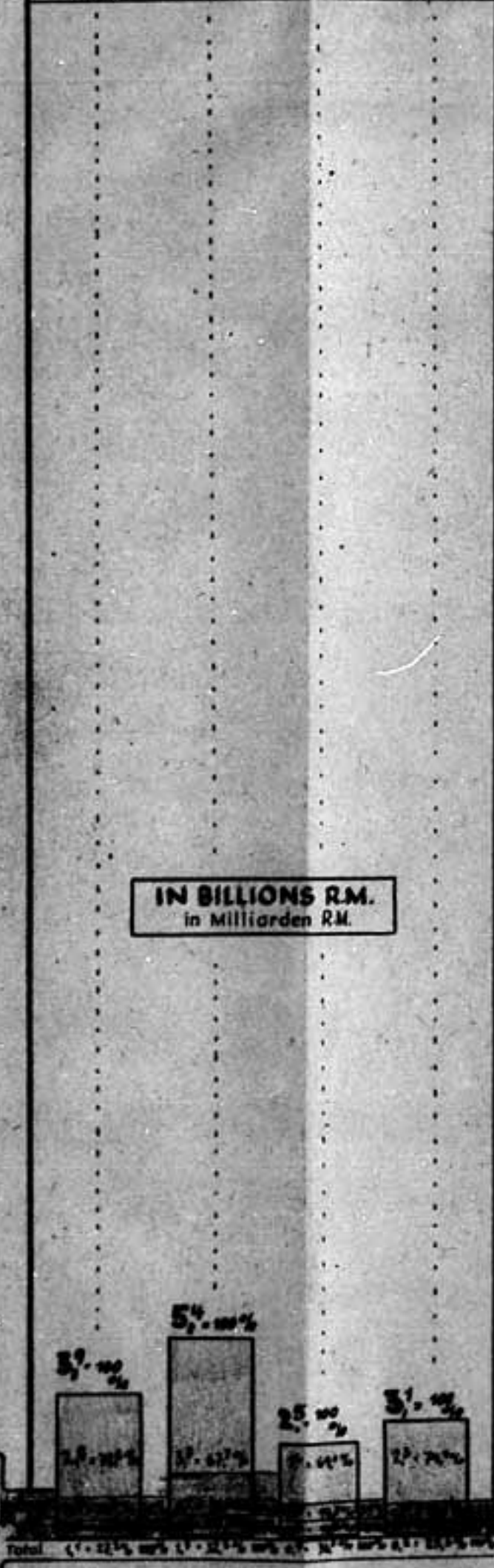
1926 1929 1932 1938



# CHEMICAL EXPORT

## WORLD : GERMANY : J.G.

1926 1929 1932 1938



# GERMANY'S NUMBER OF STAFF

## DEUTSCHLAND/ ANZAHL der Beschäftigten

1926 1929 1932 1938





A f f i d a v i t

I, Dr. Erich Piwowarczyk, Hamburg-Bergedorf, am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true and that it was made for use as evidence at the Military Tribunal No. VI, in the Palace of Justice, Nuremberg (Germany).

The figures of the attached statements concerning the firms of

- 1/ E.J. Dupont De Nemours & Co.,
- 2/ Standard Oil Co. (New Jersey),
- 3/ General Motors Corporation,
- 4/ United States Steel Corporation,
- 5/ Imperial Chemical Industries, Ltd. (I.C.I.),
- 6/ I.G. Farbenindustrie Aktiengesellschaft.

have been taken from the following sources:

1/ E. J. Dupont De Nemours & Co.

Annual Reports for the years 1928 to 1946,

Woody's Manual of Investments of 1928, 1930 to 1933 and 1939/40.

2/ Standard Oil Co. (New Jersey)

Annual Reports for the years 1926 to 1946.

Woody's Manual of Investments of 1928, 1930 to 1933 and 1939/40,

New York Evening Post (New York), No. 273 of 7 Oct. 1925, No. 153,  
of 15 May 1926.

Bulletin Commercial (Bruxelles) No. 34 of 20 August 1926,

The Wall Street Journal (New York), No. 123 of 28 May 1929,  
No. 112 of 15 May 1930, No. 128 of 4 June 1930,

The Commercial and Financial Chronicle (New York), No. 3438 of  
16 May 1931, No. 3491 of 21 May 1932, No. 3596 of 26 May 1934,  
No. 3647 of 18 May 1935, No. 3701 of 30 May 1936, No. 3752 of 22 May  
1937, No. 3804 of 21 May 1938, No. 3855 of 13 May 1939, No. 3858 of  
3 June 1939.

The Times (London), No. 46459 of 1 June 1937, No. 46768 of 31 May 1934,

Neue Zuercher Zeitung (Zuerich), No. 105 of 11 June 1934, No. 313  
of 13 November 1938, No. 145 of 26 May 1939, No. 248 of 10 August 1942,  
No. 49 of 27 January 1943,

The Journal of Commerce (New York), No. 12421 of 21 May 1934, No. 13033  
of 27 May 1936, No. 13770 of 2 November 1938, No. 13927



of 12 May 1939, No. 13948 of 7 June 1939, No. 14488 of 8 May 1941,  
No. 14533 of 14 May 1941,

New York Herald Tribune (New York), No. 34320 of 2 November 1940,  
No. 34934 of 9 July 1942, No. 34966 of 12 August 1942,

Interavia (Genf), No. 830 of 17 August 1942.

3/ General Motors Corporation.

Annual Reports for the years 1925 to 1933, 1935 to 1946, Moody's Manual  
of Investments of 1928, 1930 to 1933 and 1940.

New York Evening Post (New York), No. 211 of 2 July 1926, No. 98  
of 12 March 1927, No. 97 of 10 March 1928.

The Financial News (London), No. 12868 of 11 August 1926, No. 13814  
of 9 September 1929,

L'Information (Paris), No. 251 of 1 November 1928,

The Wall Street Journal (New York), No. 25 of 30 January 1929,  
No. 74 of 1 April 1929, No. 65 of 30 March 1930, No. 33 of 9 February  
1931.

The Journal of Commerce (New York), No. 10524 of 17 February 1928,  
No. 11123 of 7 February 1930, No. 12071 of 27 March 1933, No. 12565 of  
10 November 1934, No. 12932 of 28 January 1936, No. 12983 of 30 March  
1936, No. 13290 of 3 April 1937, No. 14502 of 8 April 1941,

The Commercial and Financial Chronicle (New York), No. 3166 of 27 Febr.,  
1926, No. 3220 of 12 March 1927, No. 3272 of 10 March 1928, No. 3328  
of 5 April 1929, No. 3379 of 29 March 1930, No. 3232 of 4 April 1931,  
No. 3482 of 19 March 1932, No. 3536 of 1 April 1933, No. 3594 of 12  
May 1934, No. 3640 of 30 March 1935, No. 3693 of 4 April 1936, No. 3746  
of 10 April 1937, No. 3798 of 9 April 1938, No. 3848 of 25 March 1939  
No. 3853 of 29 April 1939, No. 3906 of 4 May 1940,

Neue Zürcher Zeitung (Zuerich), No. 98 of 7 April 1941,

New York Herald Tribune (New York), No. 34417 of 7 February 1941,  
No. 34497 of 26 April 1941, No. 34824 of 21 March 1942, No. 34826 of  
23 March 1942.

4/ United States Steel Corporation.

Annual Reports for the years 1925 - 1944,

Moody's Manual of Investments of 1928, 1930 to 1933 and 1939/40.

The Commercial and Financial Chronicle (New York), No. 3221 of 19 March  
1927, No. 3274 of 24 March 1928, No. 3326 of 23 March 1929, No. 3378  
of 22 March 1930, No. 3430 of 21 March 1931, No. 3482 of 19 March 1932,  
No. 3534 of 18 March 1933, No. 3586 of 17 March 1934, No. 3638 of 16  
March 1935, No. 3671 of 2 November 1935, No. 3691 of 21 March 1936,  
No. 3743 of 20 March 1937, No. 3806 of 4 June 1938, No. 3847 of 18 March  
1939, No. 3932 of 2 November 1940.

The Wall Street Journal (New York), No. 118 of 1 June 1929, No. 126 of  
20 November 1929, No. 114 of 17 May 1930, No. 62 of 17 March 1931, No.  
136 of 13 June 1931.

Basic Information Defense  
Doc. No. 17

The Financial News (London), No. 13884 of 29 November 1929, No. 13986 of 31 March 1930,

L'Information (Paris), No. 44 of 22 February 1929, No. 90 of 23 April 1931,

The Journal of Commerce (New York), No. 12557 of 31 October 1934, No. 13235 of 27 January 1937, No. 13843 of 1 February 1939, No. 14445 of 29 January 1941, No. 14489 of 24 March 1941, No. 14521 of 30 April 1941.

The Economist (London), No. 4762 of 1 December 1934, No. 4884 of 3 April 1937,

Neue Zuercher Zeitung (Zuerich), No. 503 of 5 April 1940, No. 35 of 4 February 1941, No. 104 of 13 April 1941, No. 165 of 29 January 1943,

New York Herald Tribune (New York), No. 34403 of 29 January 1941 No. 34822 of 19 March 1942, No. 34954 of 29 July 1942,

American Metal Market (New York), No. 18 of 27 January 1943.

5/ Imperial Chemical Industries Ltd., (I.C.I.).

Annual Reports for the years 1927 to 1942,

Proceedings for the years 1929 to 1938,

The Financial News (London), No. 13048 of 11 March 1927, No. 13415 of 22 May 1928, No. 13694 of 19 April 1929,

The Times (London), No. 41534 of 19 March 1927, No. 44899 of 22 May 1928, No. 45181 of 19 April 1929, No. 45500 of 30 April 1930, No. 46108 of 15 April 1932, No. 47360 of 28 April 1936, No. 48624 of 24 May 1940,

The Economist (London), No. 4360 of 19 March 1927, No. 4423 of 26 May 1928, No. 4468 of 13 April 1929, No. 4571 of 4 April 1931, No. 4677 of 15 April 1933, No. 4884 of 3 April 1937, No. 4937 of 9 April 1938, No. 4994 of 13 May 1939,

The Board of Trade Journal (London), No. 1581 of 24 March 1927, No. 2160 of 28 April 1938,

The China Express and Telegraph (London), No. 3381 of 7 June 1928,

The Manchester Guardian (Manchester), No. 25773 of 9 April 1929, No. 26101 of 30 April 1930, No. 27337 of 24 April 1934,

The Manchester Guardian Commercial (Manchester), No. 480 of 29 August 1929,

The Journal of Commerce (New York), No. 13578 of 18 March 1938,

Neue Zuercher Zeitung (Zuerich), No. 123, of 4 May 1939, No. 722 of 15 May 1940, No. 162 of 5 June 1941, No. 184 of 15 June 1942, No. 800 of 19 May 1943,

Finance and Commerce (Shanghai), No. 21 of 24 May 1939.

6/ I.G. Farbenindustrie Aktiengesellschaft.

Business reports and files of the Central Bookkeeping Department. Nuremberg, 17 March 1948.

(signed) Dr. Erich Piwowarczyk.



I, Friedrich Silcher certify and confirm the above own signature of Dr. Erich Piwowarszyk, Hamburg-Bergedorf, affixed here in my presence on 17 March 1948.

Nuremberg, 17 March 1948.

(signed) Friedrich Silcher.

I certify that the above is a true and correct copy of the original document .

(signed) Friedrich Silcher  
Attorney-at-Law.



IN MILLIONS  
U.S. \$

# Comparison between J.G. and some U.S. and BRITISH firms

	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944
<b>DU PONT</b>																			
Working capital .....	307.9	311.2	395.2	451.1	528.8	550.0	500.7	500.9	509.3	526.9	556.8	625.5	696.8	646.4	694.3	676.4	694.6	726.2	756.7
Total turnover .....	90.4	96.4	119.0	205.3	186.4	165.5	124.0	156.1	179.9	220.5	260.3	286.0	255.4	298.8	359.0	500.4	525.5	612.9	646.2
Export turnover .....	Not shown	till 1937																	
Wages and salaries ..	27.2	27.6	36.7	63.8	63.4	54.3	39.6	45.8	57.7	63.1	81.7	107.5	90.7	97.6	129.6	154.5	179.5	181.6	194.6
Social contributions ..	Not shown	till 1936																	
Staff (x 1000) .....	15.2	14.9	20.5	35.1	31.1	29.0	28.0	36.0	38.0	41.0	55.0	52.0	42.5	44.1	53.8	60.0	61.1	65.2	64.4
Dividends .....	35.2	35.9	49.6	60.1	46.0	44.0	29.9	30.2	34.3	42.9	67.4	70.2	38.1	80.9	84.9	85.0	94.8	94.8	65.9
<b>STAND OIL</b>																			
Working capital .....	1,265.9	1,295.1	1,391.2	1,518.3	1,519.6	1,776.4	1,696.1	1,695.8	1,581.1	1,592.9	1,562.0	1,489.0	1,665.1	1,710.4	1,716.7	1,755.6	1,817.9	1,850.9	1,922.5
Total turnover .....	1,508.9	1,256.5	1,502.7	1,325.3	1,481.8	1,084.9	1,000.0	779.7	1,017.9	1,070.2	1,182.1	1,300.9	1,175.7	955.7	821.7	970.4	1,079.3	1,302.8	1,458.7
Export turnover .....	Not shown																		
Wages and salaries ..	Not shown											110.2					185.1	209.3	275.8
Social contributions ..	Not shown																		
Staff (x 1000) .....	57.1	58.4	36.5	55.5	51.7	43.4	46.1	47.9	50.1	50.6	52.4	51.2	51.3	49.2	48.5	85.0	86.2	92.4	96.0
Dividends .....	57.1	58.4	36.5	46.5	50.9	51.2	50.6	52.0	51.9	50.6	52.4	65.5	50.1	54.0	47.6	68.2	94.6	94.6	68.5
<b>GEN. MOT.</b>																			
Working capital .....	634.1	757.6	854.5	953.8	966.7	925.7	860.7	871.4	892.6	954.1	990.5	1,017.1	1,045.9	1,068.9	1,095.5	1,116.3	1,179.9	1,239.4	1,269.2
Total turnover .....	1,058.1	1,269.5	1,459.7	1,504.4	905.5	808.8	432.5	569.0	862.7	1,155.6	1,459.3	1,606.8	1,066.9	1,376.8	1,795.0	2,456.8	2,250.5	3,796.1	4,262.2
Export turnover .....	90.1	171.9	252.1	245.0	155.7	110.5	64.7	104.6	202.2	248.0	282.9	335.6	334.4	Not further shown					
Wages and salaries ..	220.9	302.9	365.3	389.5	279.4	256.5	145.2	171.1	265.2	327.6	384.1	440.4	500.8	386.3	492.2	669.7	899.3	1,322.0	1,380.0
Social contributions ..	Not shown																		
Staff (x 1000) .....	129.5	175.6	208.9	235.2	172.9	157.5	116.1	137.7	191.1	211.7	250.5	281.9	189.0	220.4	249.3	305.8	314.1	448.8	465.6
Dividends .....	111.5	145.9	174.7	166.0	140.0	159.8	65.1	65.0	75.6	105.7	202.2	169.7	75.6	160.3	169.0	171.8	96.2	96.3	141.2
<b>U.S. STEEL</b>																			
Working capital .....	1,089.6	1,910.0	1,913.7	1,720.4	1,802.5	1,751.2	1,695.6	1,611.0	1,584.7	1,576.6	1,581.4	1,618.3	1,491.9	1,478.7	1,510.1	1,556.2	1,525.9	1,517.8	1,482.5
Total turnover .....	1,508.0	1,510.5	1,574.4	1,493.5	1,180.9	729.3	357.2	524.9	591.6	754.4	1,005.3	1,395.5	766.6	904.1	1,076.4	1,620.5	1,862.0	1,972.0	2,002.2
Export turnover .....	100.4	85.7	91.0	89.6	64.6	40.2	17.5	26.2	37.2	34.2				81.4					
Wages and salaries ..	467.4	450.7	415.6	420.0	591.2	266.8	135.9	165.1	210.5	251.5	338.8	442.9	282.2	368.5	458.6	601.1	756.0	912.9	957.2
Social contributions ..	12.4	11.9	11.7	12.7	13.2	12.5	11.4	11.6	12.8	13.5	14.8	16.9	14.7	12.9	16.9	21.5	36.8	34.5	314.8
Staff (x 1000) .....	255.1	251.5	221.7	224.9	211.0	205.6	198.0	172.5	189.8	194.8	222.3	261.2	202.1	225.8	254.5	300.0	335.8	340.5	314.8
Dividends .....	60.8	75.0	75.0	89.0	85.5	62.2	20.7	7.2	7.2	7.2	50.4	67.2	25.2	25.2	60.0	60.0	60.0	60.0	60.0
<b>I.C.I.</b>																			
Working capital .....	-	288.6	576.3	457.7	402.6	360.6	446.4	492.3	448.8	477.8	426.8	459.0	443.5	451.5	449.3	448.4	448.4	449.5	449.8
Total turnover .....	-	Not shown																	
Export turnover .....	-	Not shown																	
Wages and salaries ..	-	Not shown																	
Social contributions ..	-	Not shown	till 1939																
Staff (x 1000) .....	-	40.0	54.9	60.3	51.0	42.0	35.0	36.8	41.7	55.5	56.0	61.6	65.0				135.0		
Dividends .....	-	12.1	20.1	24.5	26.1	17.2	20.5	25.5	25.5	22.0	22.0	28.9	27.9	27.9	27.9	27.9	27.9	27.9	27.9
(£ = \$ 4.90)	-	8%	8%	8%	6%	4.5%	6%	7.5%	8%	8%	8%	8.5%	8%	8%	8%	8%	8%	8%	8%
<b>J.G.</b>																			
Working capital .....	368.4	394.8	500.4	505.0	505.0	461.0	461.0	461.0	454.6	454.6	454.6	471.4	472.4	507.8	538.8	609.7	741.1	741.1	741.1
Total turnover .....	410.8	506.4	568.0	574.8	468.4	405.2	348.4	356.4	395.2	456.4	518.4	606.0	699.0	795.6	864.0	1,016.0	1,161.6	1,246.4	1,026.0
Export turnover .....	166.6	199.6	229.2	256.0	189.2	189.2	186.6	186.6	154.4	162.8	161.6	178.8	168.4	180.4	148.8	176.4	202.4	246.0	171.6
Wages and salaries ..	90.0	120.0	139.2	145.6	120.0	96.0	69.2	79.1	79.3	91.0	100.5	136.6	151.2	165.4	170.7	199.2	205.6	219.9	225.0
Social contributions ..	16.1	16.2	19.7	22.4	20.5	18.5	18.1	21.8	19.6	20.6	31.2	35.4	44.6	51.2	54.1	55.3	68.8	82.6	86.6
Staff (x 1000) .....	55.7	108.0	114.1	97.7	80.0	68.0	66.5	76.7	92.3	98.0	109.9	124.2	155.2	173.5	143.0	160.0	187.7	199.5	188.9
Dividends .....	26.4	38.2	38.6	38.4	34.2	19.2	19.0	19.0	19.0	19.0	19.0	21.8	21.8	22.1	25.5	26.6	32.6	32.6	-
(RM 2.50 = \$ 1.-)	- 10%	- 12%	- 12%	- 14%	- 12%	- 7%	- 7%	- 7%	- 7%	- 7%	- 7%	- 8%	- 8%	- 8%	- 8%	- 6%	- 6%	- 6%	-

Interpretation als Anlage zu meiner eidesstattlichen Erklärung vom 17.3.1948.  
Münster, den 17.3.1948.

(Dr. Erich Pissarczyk)

Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn  
Dr. Erich Pissarczyk, Münster-Burgdorf, ist von mir, Rechtsanwalt  
Friedrich Silber, am 17. März 1948 hiermit beglaubigt, was hiermit beglaubigt und von mir bezeugt wird.  
Münster, den 17.3.1948.



IN MILLIONS  
U.S. \$

# Comparison between J.G. and some U.S. and BRITISH firms

	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	
WORKING CAPITAL																				
DU PONT .....	507.9	511.2	505.2	451.1	528.8	550.0	500.7	500.9	509.3	526.9	556.8	625.3	636.8	646.4	654.3	676.4	694.6	726.2	756.7	
STAND. OIL .....	1,268.9	1,295.1	1,391.2	1,518.3	1,519.6	1,736.4	1,556.1	1,513.8	1,581.1	1,592.9	1,542.0	1,610.0	1,663.1	1,710.4	1,716.1	1,755.6	1,817.9	1,830.9	1,922.3	
GEN. MOT. ....	634.1	757.5	854.5	953.3	966.7	925.7	860.7	871.4	892.6	954.1	990.5	1,017.1	1,045.9	1,068.9	1,093.5	1,116.3	1,179.9	1,239.4	1,269.2	
U. S. STEEL .....	1,809.6	1,910.0	1,913.7	1,720.4	1,802.5	1,751.2	1,655.6	1,611.0	1,584.7	1,578.6	1,581.4	1,618.3	1,491.9	1,478.7	1,510.1	1,556.2	1,525.9	1,517.8	1,482.5	
I. C. I. ....	-	288.6	376.3	457.7	462.6	460.6	446.4	452.3	448.8	477.8	426.8	439.0	443.5	451.3	449.3	448.4	448.4	449.3	449.8	
I. G. ....	368.4	394.8	500.4	505.0	505.0	461.0	461.0	461.0	454.6	454.6	454.6	471.4	472.4	521.8	538.8	609.7	741.1	741.1	741.1	
TOTAL TURNOVER																				
DU PONT .....	90.4	96.4	119.0	203.3	186.4	165.5	124.0	156.1	179.9	220.5	260.3	286.0	295.4	298.8	399.0	503.4	523.5	612.9	646.2	
STAND. OIL .....	1,308.9	1,256.5	1,302.7	1,525.3	1,381.8	1,084.9	1,080.0	779.7	1,017.9	1,076.2	1,162.1	1,308.9	1,175.7	993.7	921.7	978.4	1,099.3	1,302.8	1,638.7	
GEN. MOT. ....	1,058.1	1,269.5	1,499.7	1,504.4	985.3	808.8	492.3	569.0	862.7	1,135.6	1,439.3	1,606.8	1,066.9	1,376.8	1,795.0	2,436.3	2,250.5	3,796.1	4,262.2	
U. S. STEEL .....	1,500.0	1,510.3	1,374.4	1,435.3	1,130.9	729.3	357.2	924.9	591.6	754.4	1,083.5	1,395.5	766.6	904.1	1,076.4	1,620.5	1,862.0	1,972.0	2,032.2	
I. C. I. ....	-	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
I. G. ....	410.8	506.4	568.0	574.8	468.4	403.2	348.4	356.4	395.2	456.4	518.4	606.0	659.2	795.6	864.0	1,016.0	1,161.6	1,246.4	1,026.0	
EXPORT TURNOVER																				
DU PONT .....	Not shown	till 1937	-	-	-	-	-	-	-	-	-	-	9.8	14.9	28.7	31.6	36.6	36.7	51.7	
STAND. OIL .....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
GEN. MOT. ....	98.1	171.9	252.1	243.0	155.7	110.5	64.7	104.6	202.2	248.0	282.9	335.6	334.4	Not further shown	-	-	-	-	-	
U. S. STEEL .....	100.4	85.7	91.0	89.6	64.6	40.2	17.5	26.2	37.2	34.2	-	-	-	81.4	-	-	-	-	-	
I. C. I. ....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
I. G. ....	166.6	199.6	229.2	236.0	189.2	189.2	163.6	163.6	154.4	162.8	161.6	178.8	168.4	180.4	148.8	176.4	202.4	246.0	171.6	
WAGES and SALARIES																				
DU PONT .....	27.2	27.6	36.7	63.8	63.4	54.3	39.6	45.8	57.7	63.1	81.7	107.5	90.7	97.6	129.6	134.5	159.5	181.6	194.6	
STAND. OIL .....	-	-	-	-	-	-	-	-	-	-	-	110.2	-	-	-	-	-	-	-	
GEN. MOT. ....	220.9	302.9	365.3	389.5	279.4	256.5	143.2	171.1	263.2	327.6	384.1	460.4	300.8	386.3	492.2	669.7	859.3	1,322.0	1,580.0	
U. S. STEEL .....	467.4	450.7	413.6	420.0	391.2	266.8	133.9	163.1	210.5	251.5	338.8	442.9	282.2	368.5	438.6	601.1	736.0	912.9	957.2	
I. C. I. ....	-	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
I. G. ....	90.0	120.0	139.2	145.6	120.0	96.0	69.2	70.1	79.1	91.0	100.5	136.6	151.2	165.4	178.7	199.2	205.6	219.9	223.0	
SOCIAL CONTRIBUTION																				
DU PONT .....	Not shown	till 1936	-	-	-	-	-	-	-	-	-	14.2	14.6	21.0	21.0	18.6	21.8	26.6	29.3	
STAND. OIL .....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
GEN. MOT. ....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
U. S. STEEL .....	12.4	11.9	11.7	12.7	13.2	12.5	11.4	11.6	12.8	13.5	14.8	16.9	14.7	12.9	16.9	21.5	36.8	-	-	
I. C. I. ....	-	Not shown	till 1939	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
I. G. ....	16.1	16.2	19.7	22.4	20.3	18.5	18.1	21.8	19.6	20.6	31.2	35.4	44.6	51.2	54.1	55.8	68.8	82.6	86.6	
STAFF (X1000)																				
DU PONT .....	15.2	14.9	20.5	35.1	31.1	29.0	28.0	36.0	38.0	41.0	53.0	52.0	42.3	44.1	53.3	60.0	61.1	63.2	64.4	
STAND. OIL .....	-	-	-	55.5	51.7	43.4	46.1	47.9	50.1	-	-	51.2	51.3	49.2	48.5	85.0	86.2	92.4	96.0	
GEN. MOT. ....	129.5	175.6	208.9	235.2	172.9	157.5	116.1	137.7	191.1	211.7	230.5	261.9	189.0	220.4	249.3	303.8	314.1	448.8	465.6	
U. S. STEEL .....	253.1	251.5	221.7	224.9	211.0	203.6	158.0	172.5	189.8	194.8	222.3	261.2	202.1	223.8	254.3	307.0	335.8	340.5	314.8	
I. C. I. ....	-	40.0	54.9	60.3	51.0	42.0	35.0	36.8	41.7	53.5	56.0	61.6	65.0	-	-	135.0	-	-	-	
I. G. ....	95.7	108.0	114.1	97.7	80.0	68.0	66.5	76.7	92.3	98.0	109.9	124.2	135.2	133.5	143.0	160.0	187.7	199.5	188.9	
DIVIDENDS																				
DU PONT .....	33.2	35.9	49.6	60.1	46.0	44.0	29.9	30.2	34.3	42.9	67.4	70.2	38.1	80.9	84.9	85.0	54.8	54.8	65.9	
STAND. OIL .....	37.1	38.4	36.5	46.5	50.9	51.2	50.6	32.0	31.9	50.6	32.4	65.5	50.1	34.0	47.6	68.2	54.6	54.6	68.3	
GEN. MOT. ....	111.5	143.9	174.7	166.0	160.0	139.8	63.1	63.0	73.6	105.7	202.2	169.7	73.6	160.3	169.0	171.8	96.2	96.3	141.2	
U. S. STEEL .....	60.8	75.0	75.0	89.0	85.5	62.2	20.7	7.2	7.2	7.2	50.4	67.2	25.2	25.2	60.0	60.0	60.0	60.0	60.0	
I. C. I. ....	-	19.1	20.1	24.3	20.1	17.2	20.6	23.9	25.3	22.0	22.0	28.9	27.9	27.9	27.9	27.9	27.9	27.9	27.9	
I. G. ....	26.4	38.2	58.4	38.4	34.2	19.2	19.8	19.0	19.0	19.0	19.0	21.8	21.8	22.1	23.5	26.6	32.6	32.6	-	
	- 10%	- 12%	- 12%	- 14%	- 12%	- 7%	- 7%	- 7%	- 7%	- 7%	- 7%	- 8%	- 8%	- 8%	- 8%	- 8%	- 8%	- 8%	- 8%	

£- \$ 4.90  
242.00  
\$1.-

Unterschieden als Anlage zu meiner eidesstattlichen Erklärung vom 17.3.1948  
Nürnberg, den 17.3.1948

(Dr. Erich Pisonczyk)

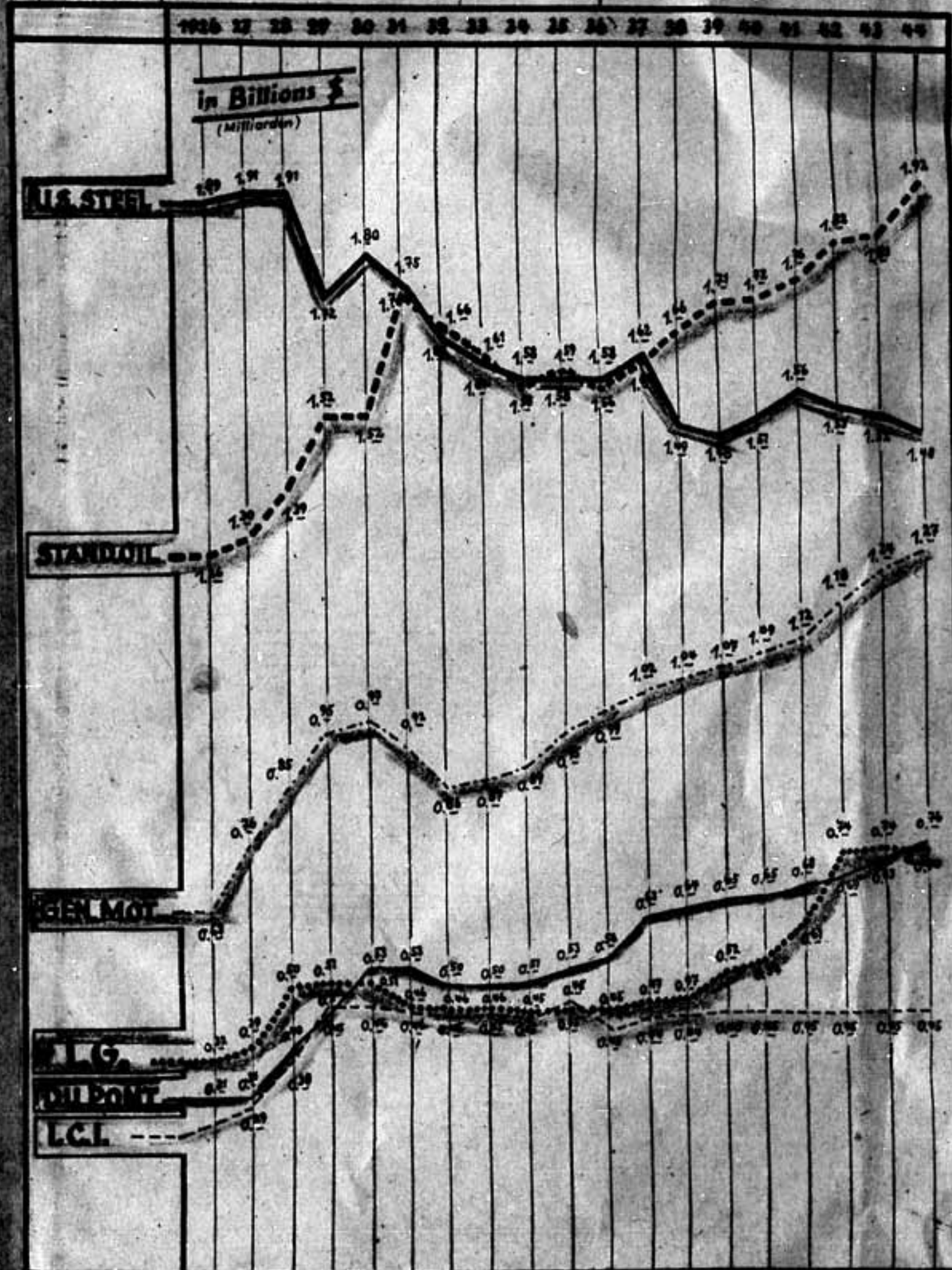
Die vorstehende, von mir anerkannte Unterschrift des Herrn  
Dr. Erich Pisonczyk, Nürnberg-Bergedorf, ist vor mir, Rechtsanwalt  
Friedrich Silcher, am 17. März 1948 hier selbst geleistet, was hiermit beglaubigt und von mir besagt wird.  
Nürnberg, den 17.3.1948



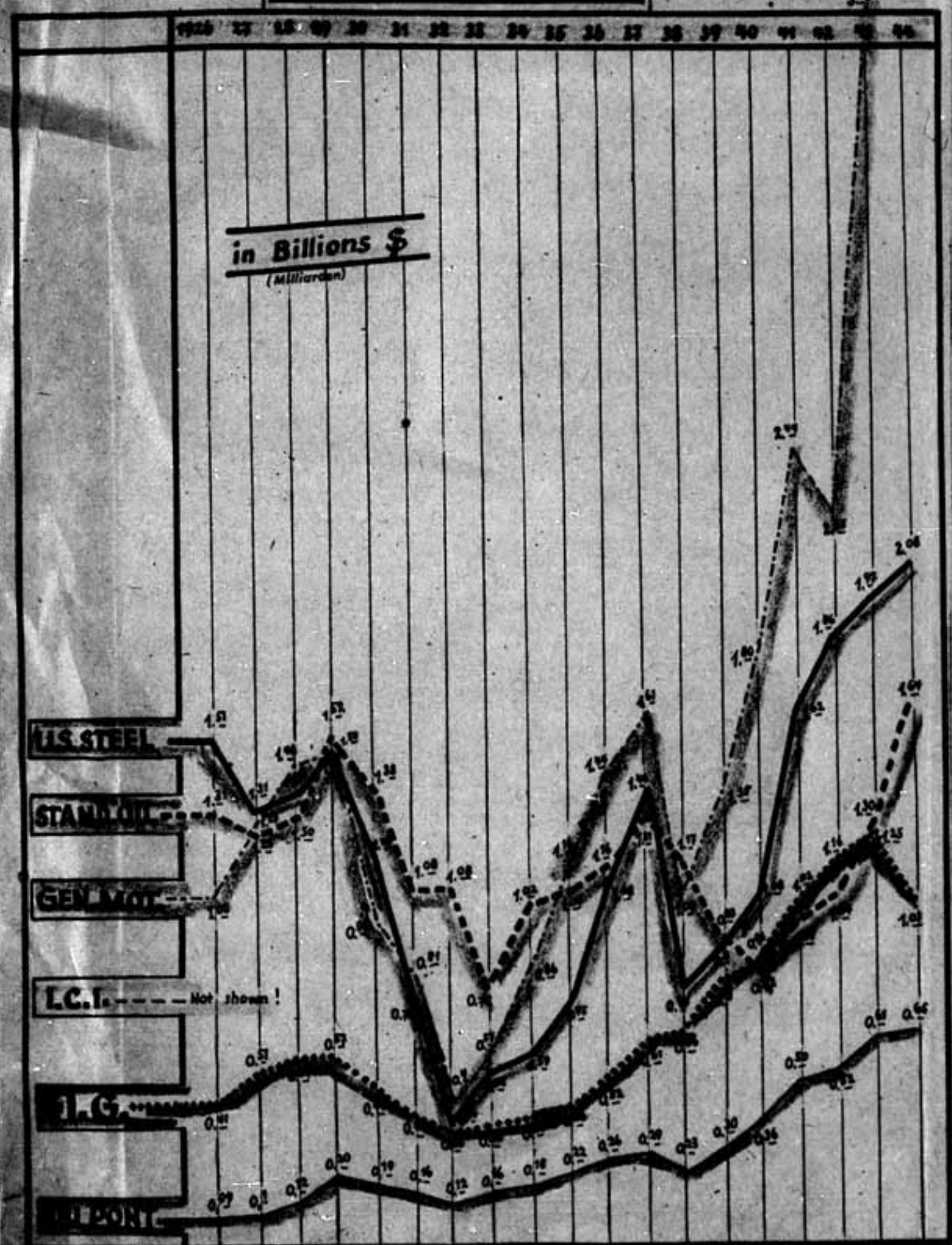
# COMPARISON

between  
US and  
IG and some  
BRITISH  
Companies

## WORKING CAPITAL



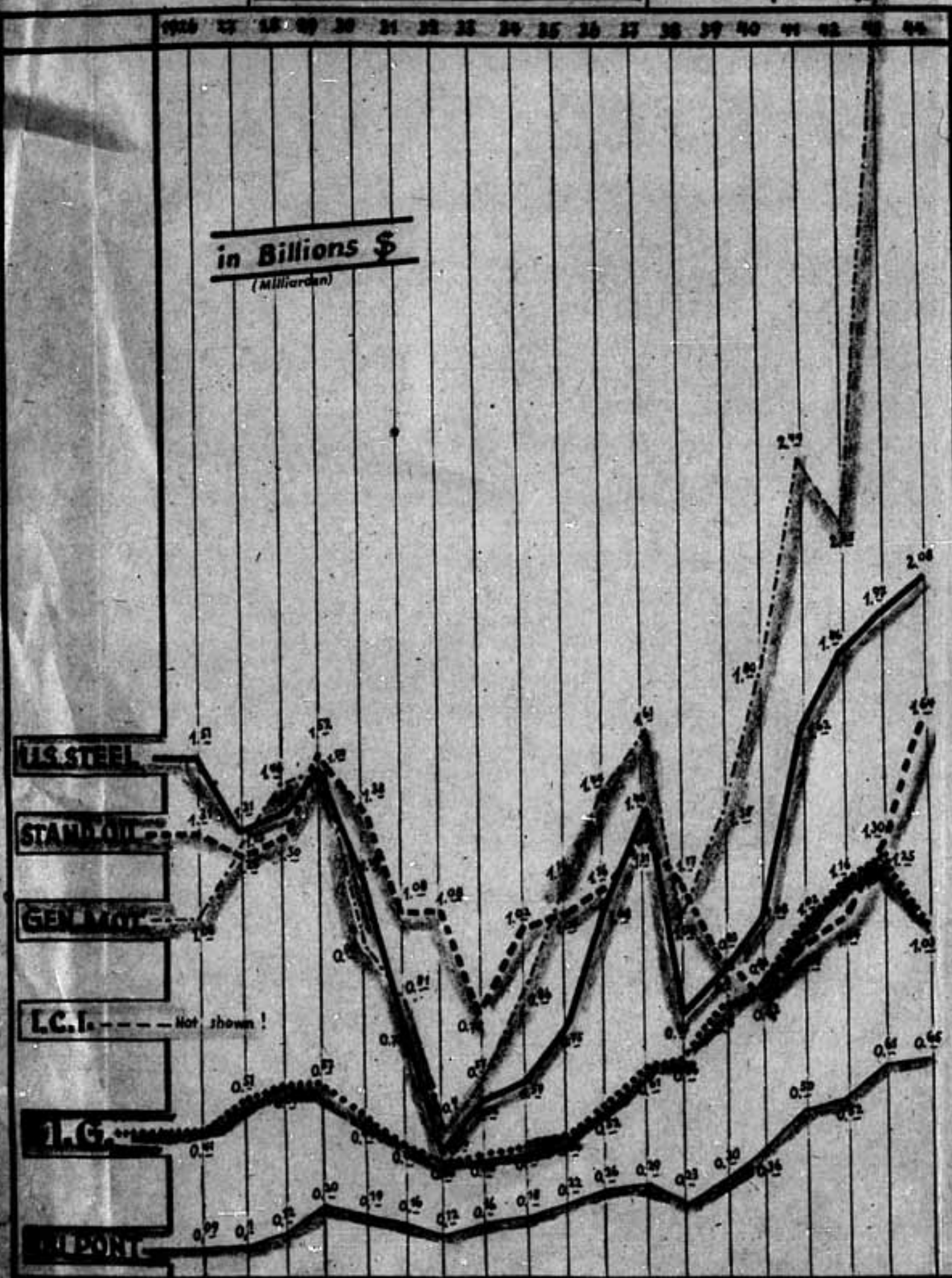
## TOTAL TURNOVER





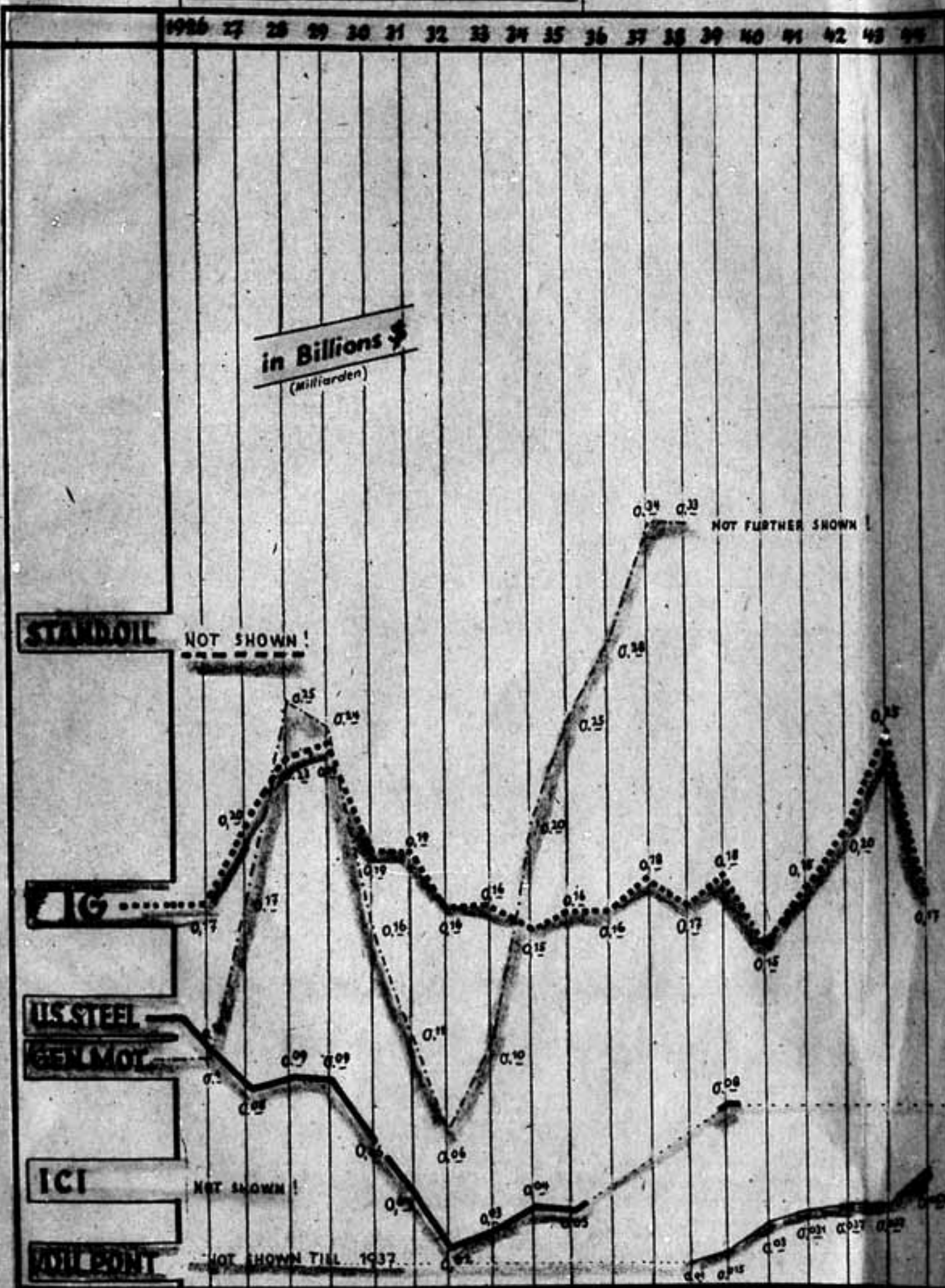
# TOTAL TURNOVER

in Billions \$  
(Milliarden)



# EXPORT TURNOVER

in Billions \$  
(Milliarden)

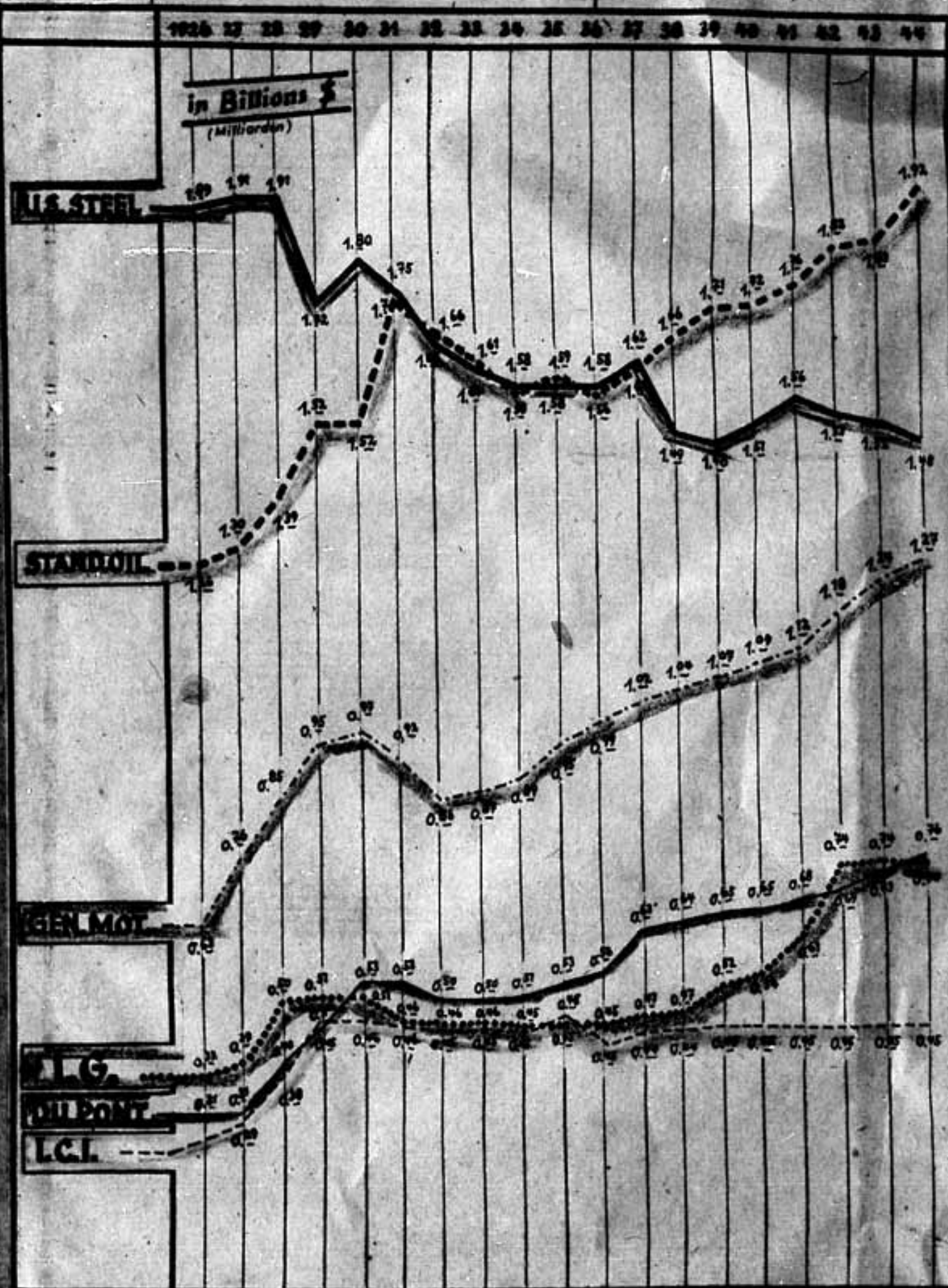




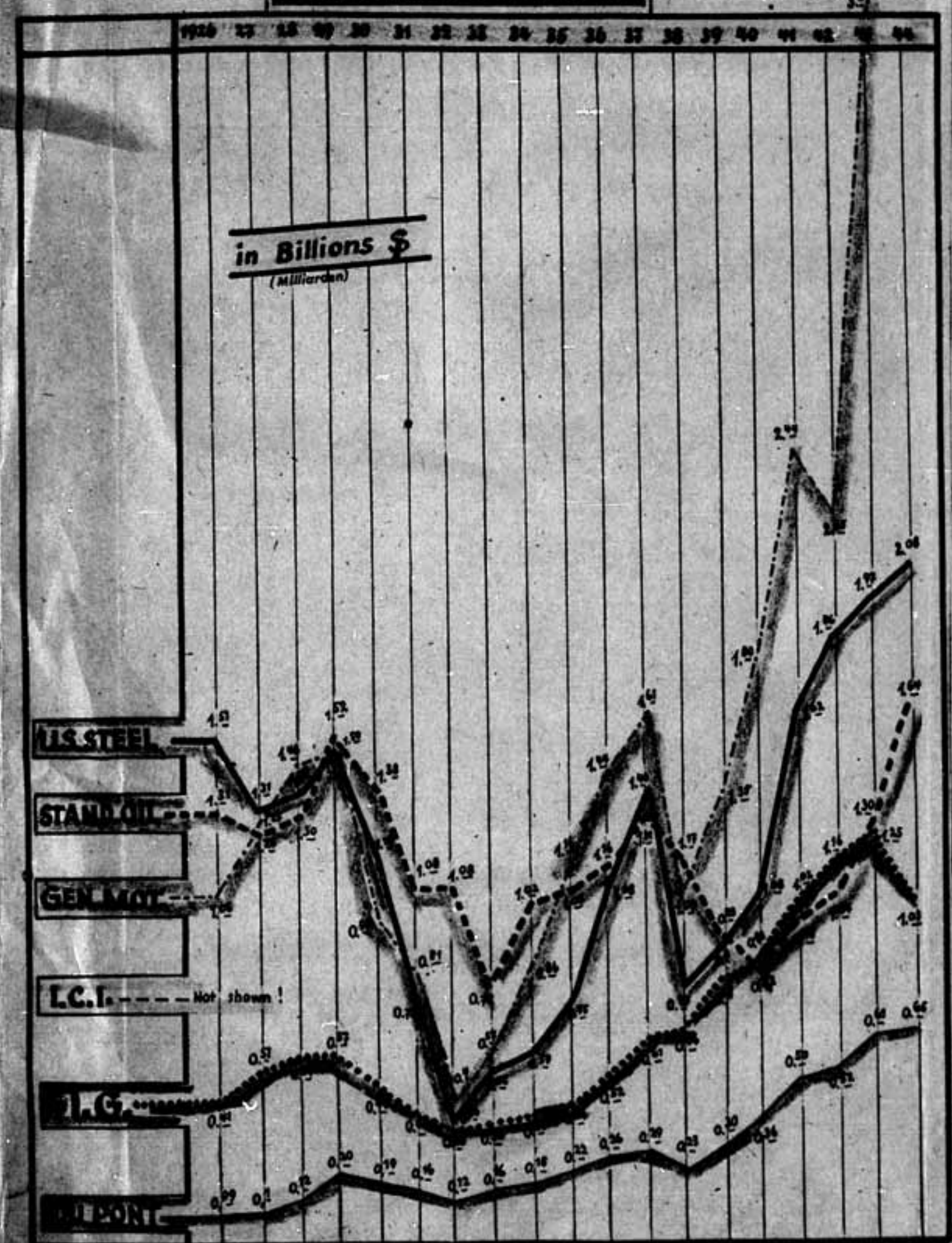
# COMPARISON

between IG and some  
US and BRITISH  
Companies

## WORKING CAPITAL



## TOTAL TURNOVER

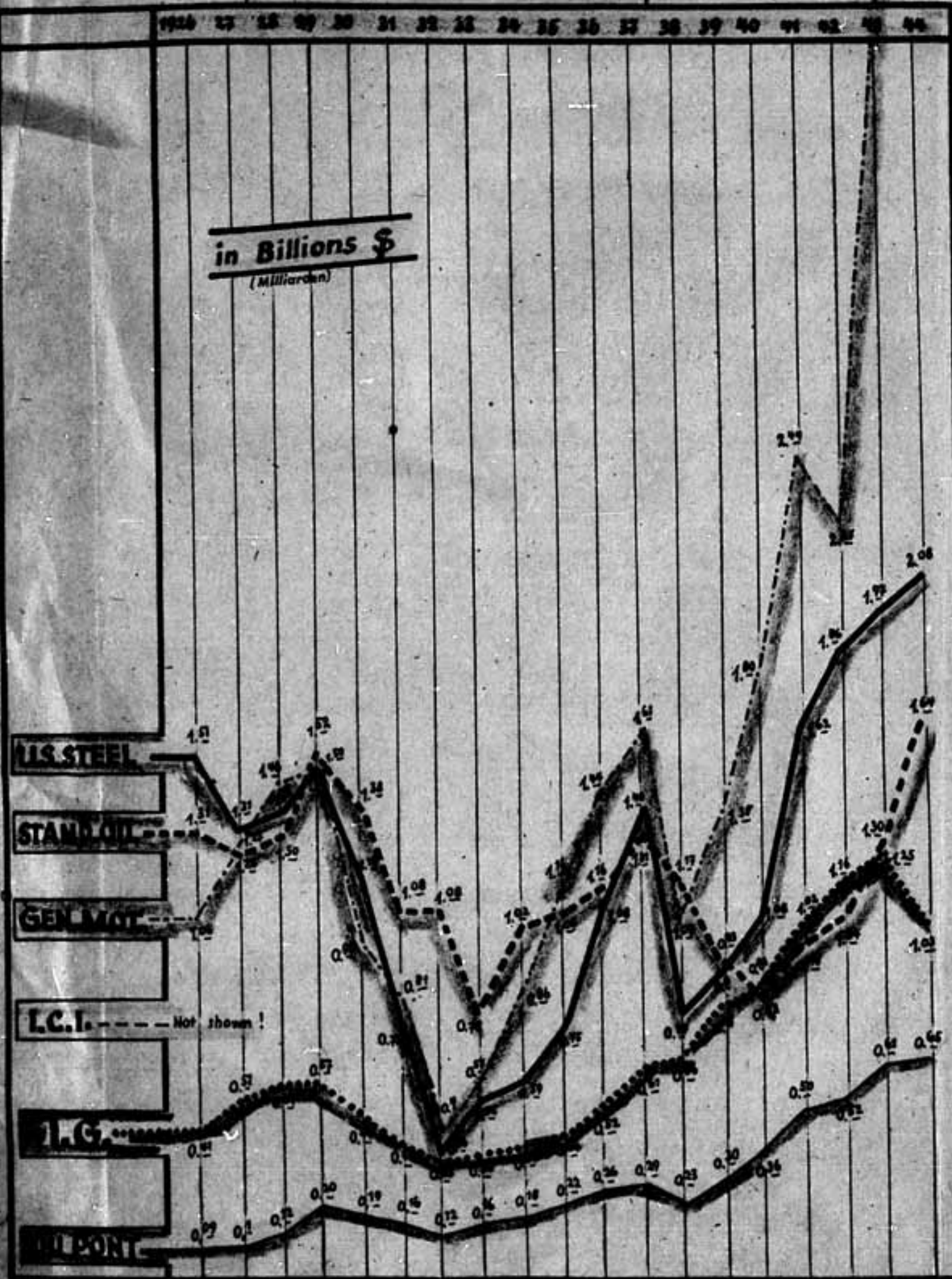




between IG and some  
US and BRITISH  
Companies

# TOTAL TURNOVER

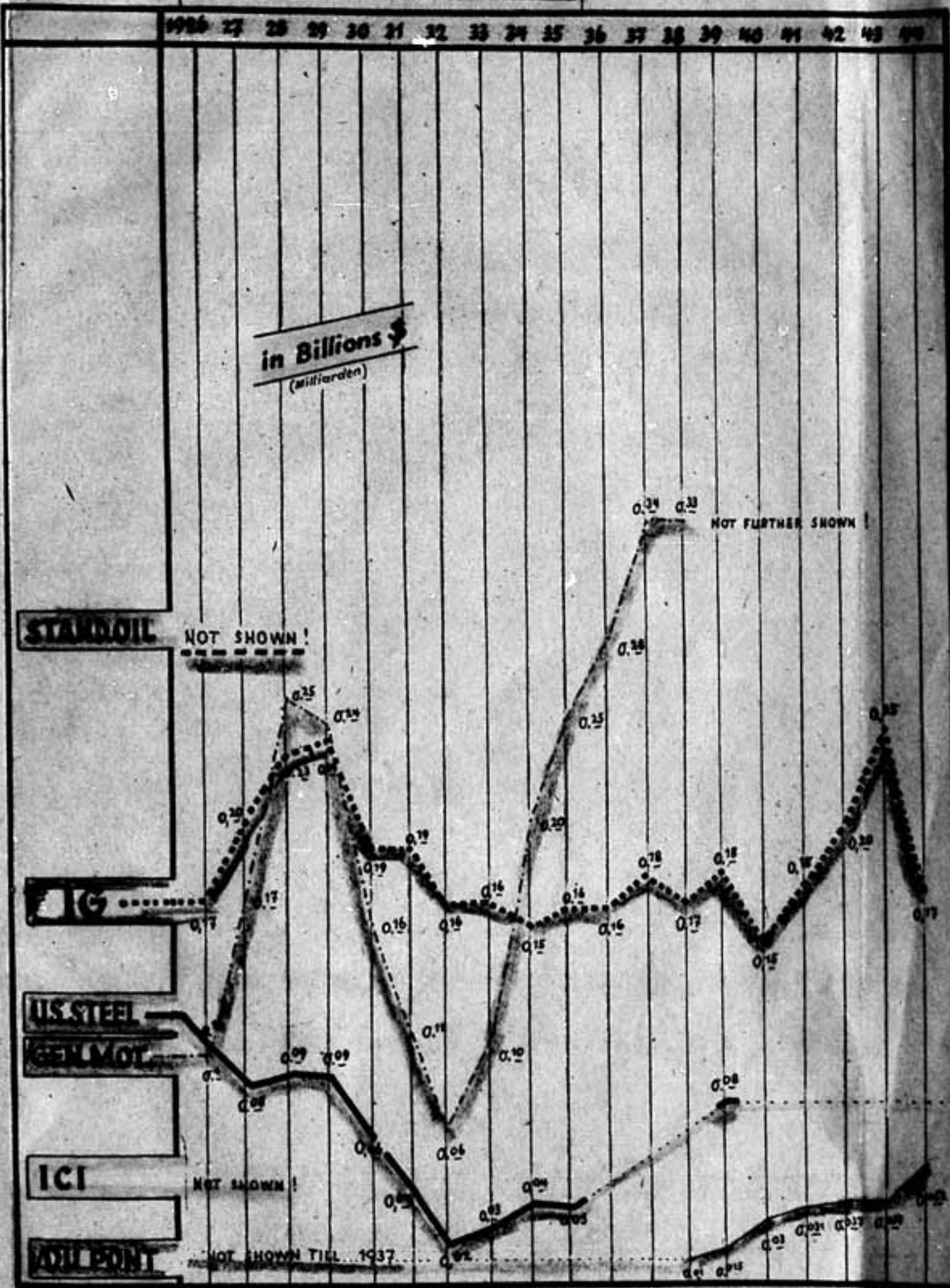
in Billions \$  
(Milliarden)



COMPARISON between

# EXPORT TURNOVER

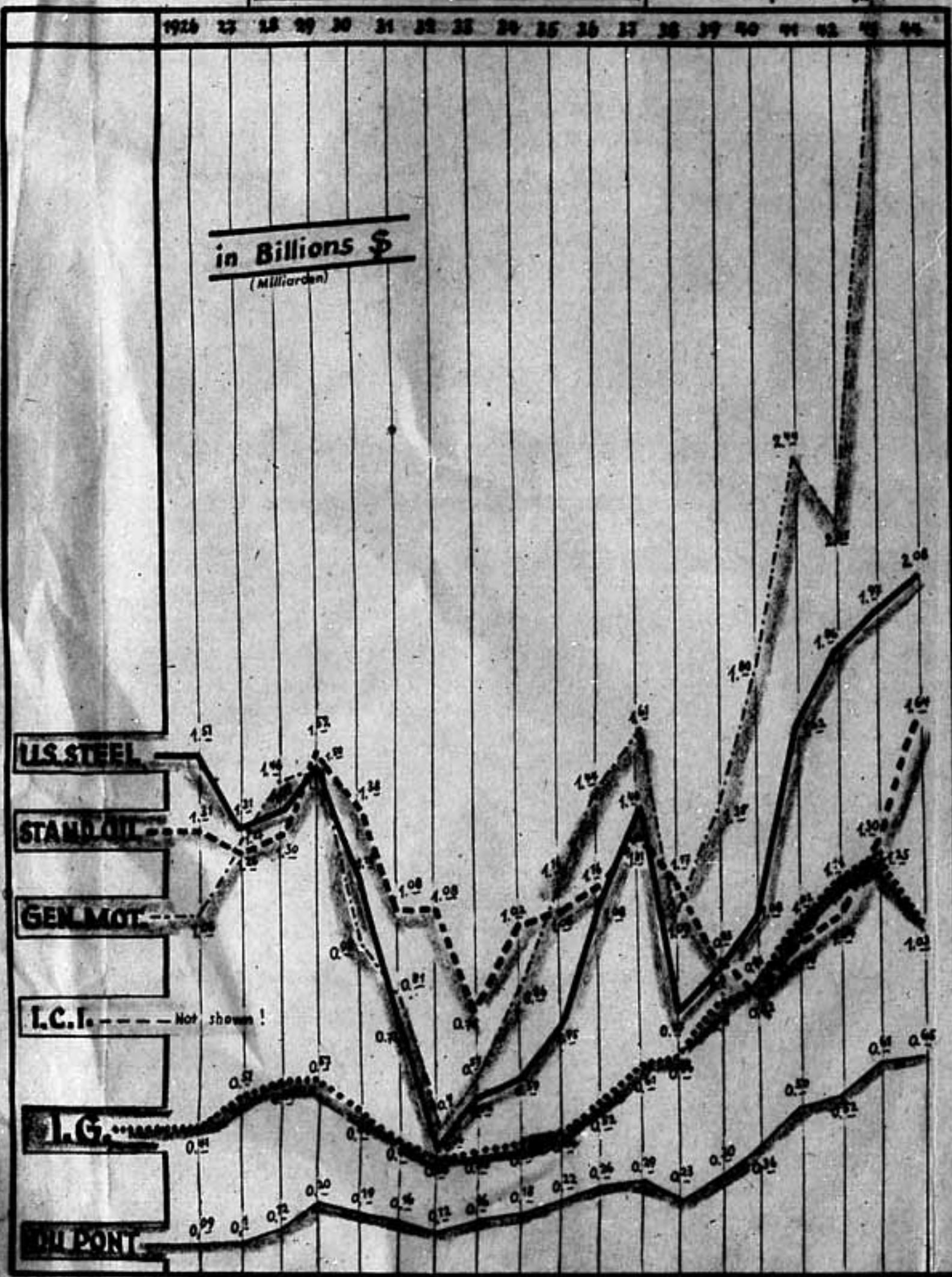
in Billions \$  
(Milliarden)





# TOTAL TURNOVER

in Billions \$  
(Milliarden)

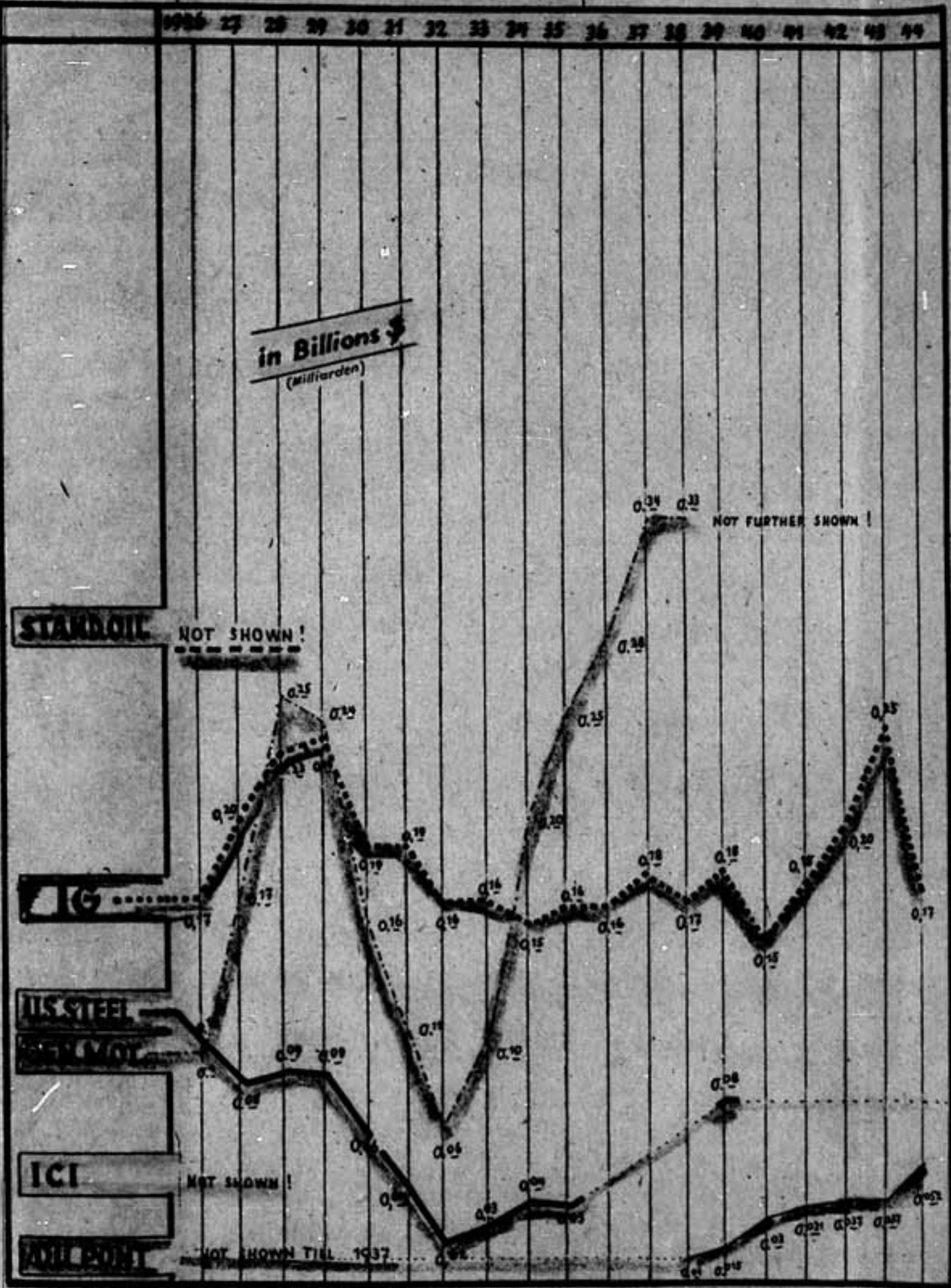


# COMPARISON

between JG and some  
US and BRITISH  
Companies

# EXPORT TURNOVER

in Billions \$  
(Milliarden)





# COMPARISON

between JG and some  
US and BRITISH  
Companies

## EXPORT TURNOVER

1926 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44

in Billions \$  
(Milliarden)

STANDARD OIL

NOT SHOWN!

JG

US STEEL

GEN MOT

ICI

DILBERT



## STAFF

1926 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44

in Thousand

US STEEL

GEN MOT

JG

STANDARD OIL

ICI

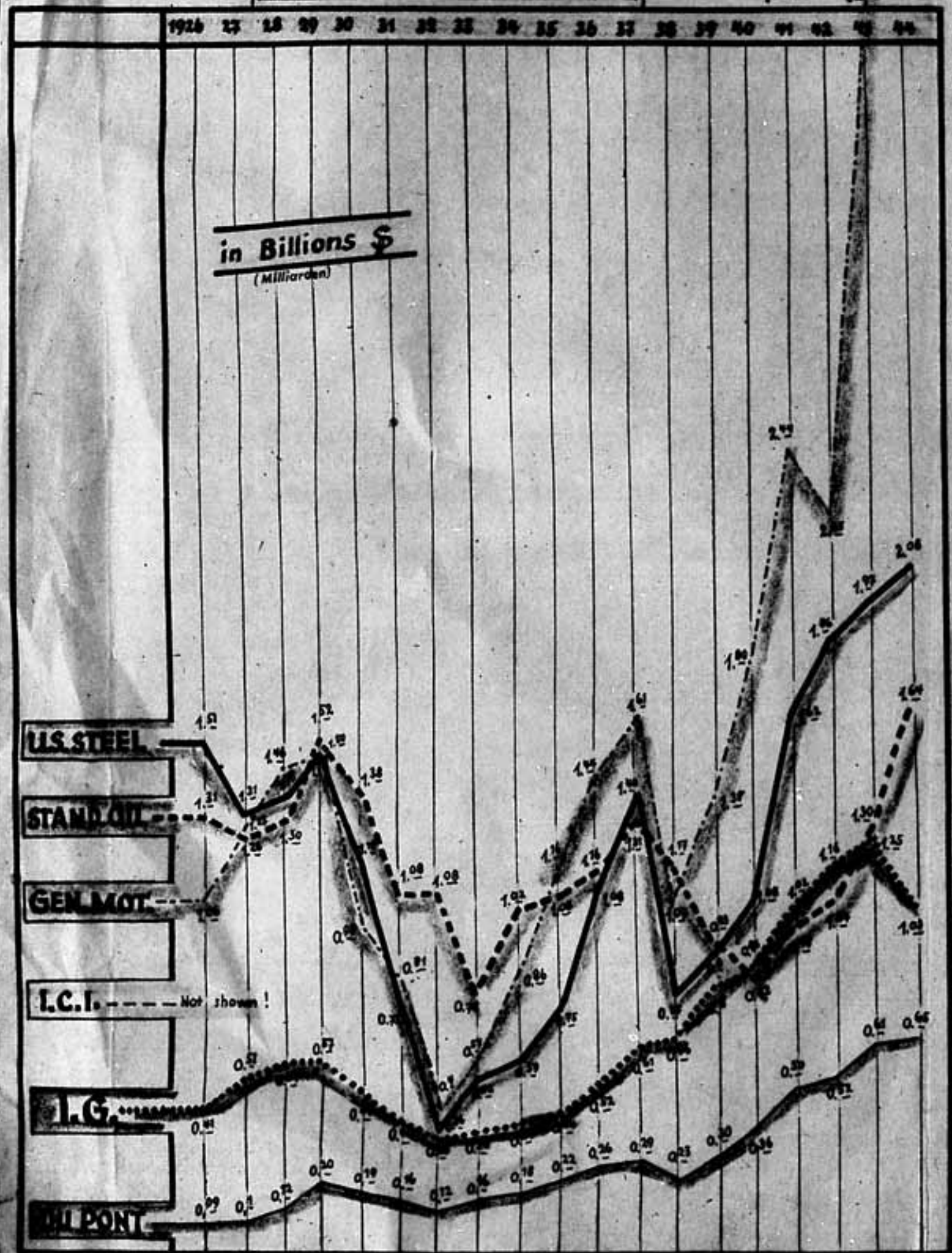
DILBERT





IG and some  
BRITISH  
Companies

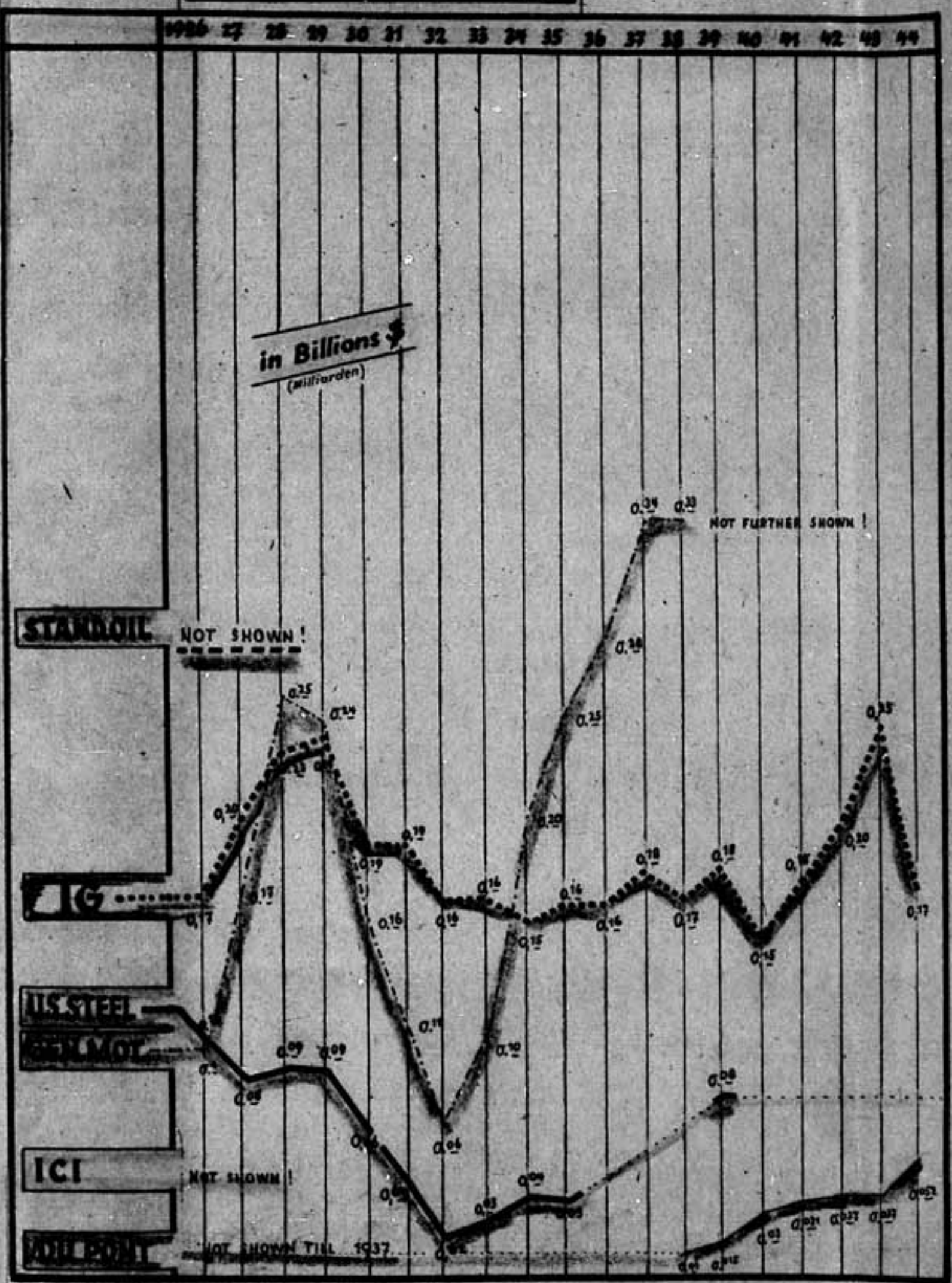
# TOTAL TURNOVER



# COMPARISON

between JG and some  
US and BRITISH  
Companies

# EXPORT TURNOVER





# COMPARISON

between JG and some  
US and BRITISH  
Companies

## EXPORT TURNOVER

1926 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44

in Billions \$  
(milliarden)

STANDARD OIL

NOT SHOWN!

JG

US STEEL

GEN MOT

ICI

DUPONT

NOT SHOWN!

NOT SHOWN TILL 1937

NOT FURTHER SHOWN!

## STAFF

1926 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44

in Thousand

US STEEL

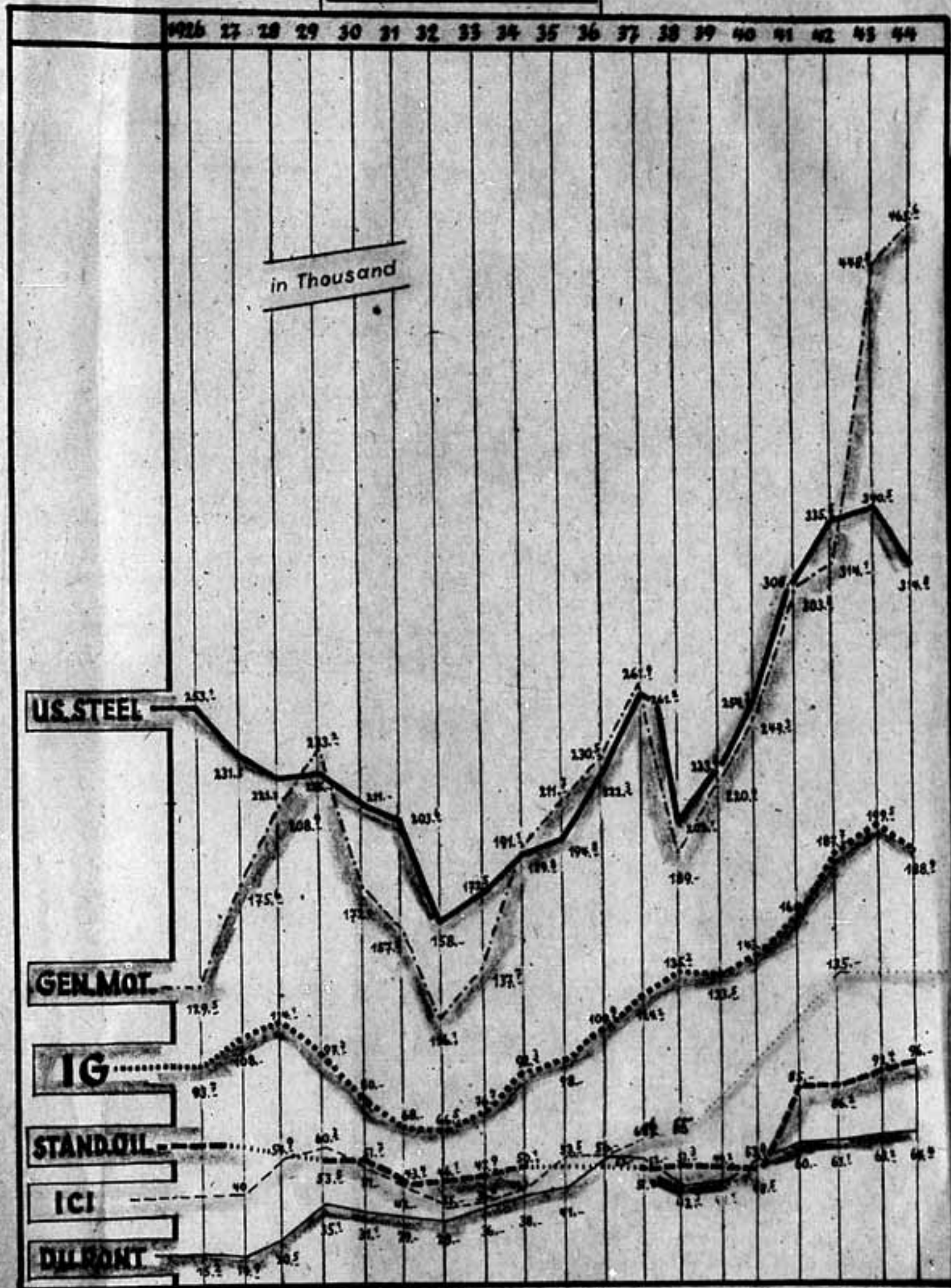
GEN MOT

JG

STANDARD OIL

ICI

DUPONT





Basic information defense  
Doc. No. 19

The development of the National Income from 1929 to 1941

Year	<u>U.S.A.</u>		<u>Germany</u>	
	(in billions \$)	Change in % compared to the previous year	(in billions of RM) (= in billions of \$)	Change in % compared to the previous year
1929	80,7		76,1 (=30,4)	
1930	68,3	- 15,36%	70,1 (=28,0)	- 7,88%
1931	53,8	- 21,23%	57,1 (=22,8)	- 18,54%
1932	40,0	- 25,65%	45,2 (=18,1)	- 20,84%
1933	42,2	+ 5,50%	46,5 (=18,6)	+ 2,87%
1934	50,0	+ 18,48%	52,7 (=21,1)	+ 13,33%
1935	55,1	+ 10,20%	59,1 (=23,6)	+ 12,14%
1936	63,7	+ 15,60%	65,8 (=26,3)	+ 11,33%
1937	69,8	+ 9,57%	73,7 (=29,5)	+ 12,00%
1938	67,4	- 3,43%	82,1 (=32,8)	+ 11,39%
1939	77,5	+ 14,98%	89,8 (=35,9)	+ 9,37%
1940	81,3	+ 4,90%	92,5 (=37,0)	+ 3,00%
		+		+
1941	103,8	+ 27,67%	97,8 (=39,1)	+ 5,72%
<hr/>				
1941 compared to 1929 = 28,62%			= 28,51%	

Sources:  
for the United States: "Statistical Abstracts of USA",  
"Financial Statement" of General Motors Corp., March  
31, 1939,



Basic information defense  
Doc. No. 19

for Germany: "Konjunkturstatistisches Jahrbuch", 1933, "Statistisches Jahrbuch des Deutschen Reiches",  
"Institut fuer Konjunkturforschung", 1939, No. 4.

I, Dr. Erich PIWOWARCZYK, Hamburg-Bergedorf, am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true, and that it was made for use as evidence at the Military Tribunal No. VI, in the Palace of Justice, Nuremberg (Germany).

The figures of the above survey "Development of the National Income from 1929 to 1941" have been taken from the sources mentioned above and conform completely and truly to these documents.

Nuremberg, 17 March 1948.

Dr. Erich PIWOWARCZYK

I, Friedrich SILCHER, Attorney-at-Law, herewith certify and confirm the own signature of Dr. Erich PIWOWARCZYK, Hamburg-Bergedorf, affixed here in my presence on 17 March 1948.

Nuremberg, 17 March 1948.

Friedrich SILCHER

I herewith certify that the above is a true and correct copy of the original document.

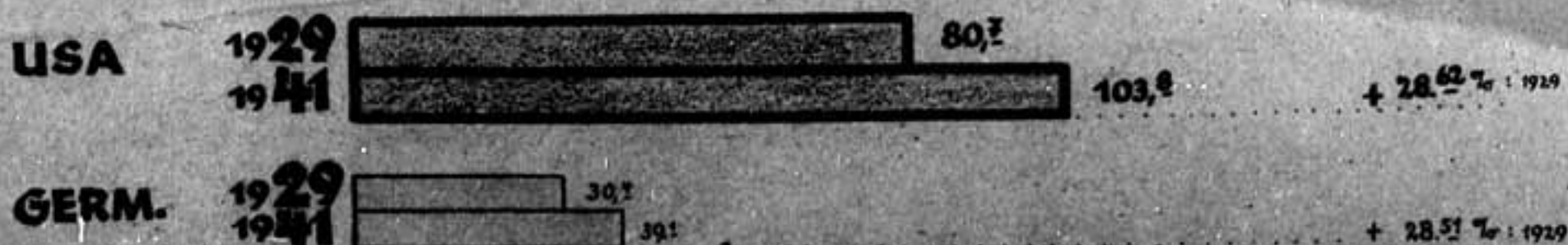
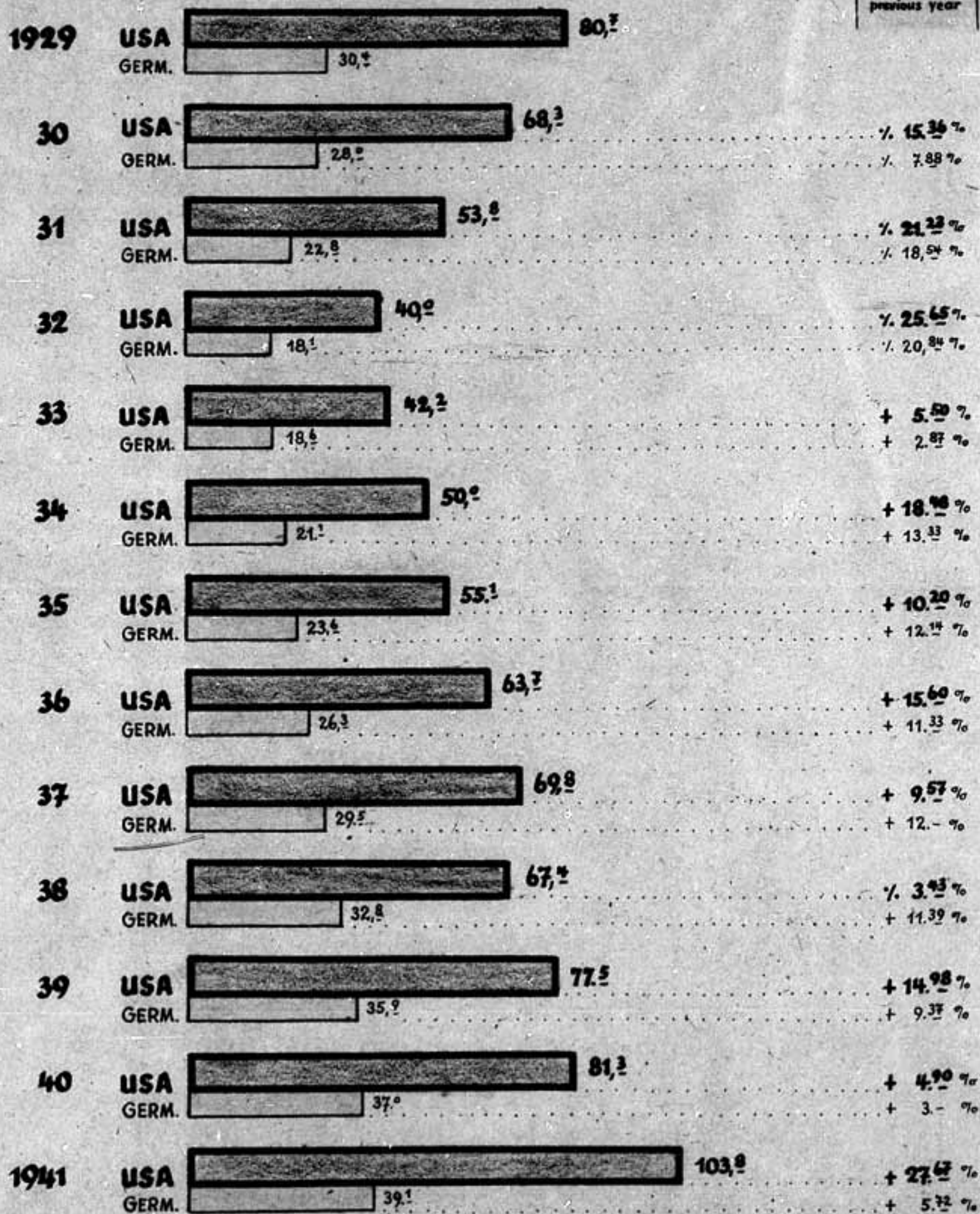
Friedrich SILCHER  
Attorney-at-Law



# DEVELOPMENT OF NATIONAL - INCOME USA GERMANY

in billions \$  
(1929 RM = 1\$)

in percent  
against  
previous year





CERTIFICATE OF TRANSLATION.

I, J. Weinmann, ETO 35 270, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Basic Information Defense I.G. Farben.

Nuremberg. 14 April 1948.

J. Weinmann  
ETO 35 270



CASE No. 6 - TRIBUNAL VI

Defense

Basic Information ( for all Defendants )

Document No. 25 is a model of a house.



# IG-Products in Housing and Building

1. Iporit — Light weight concrete stones, plates
2. Synthoporit — Light weight concrete stones, plates
3. D. K. Hüttenbims — Light weight building materials
4. Igecol — Binding agent for plates from wood chips, peat, straw
5. Iporit — Heat- and sound insulating floors
6. IG-Buntbrand — Metallic Salts for colored glazed tiles
7. IG-Buntbrand — Metallic Salts for colored roofing tiles
8. IG-Engoben — Metallic Salts for artificially-aged roofing tiles
9. Aristogen — Insulating coating against moisture
10. Asfluid J — Insulating coating against moisture
11. Aristogenmörtel — Waterproof mortar as horizontal insulation
12. Asplit — Acid-proof joint-material for tile floors
13. Membranit — Oilfree binding agent for paints
14. Kronos Titanweiß — White pigment for paints and lacquers
15. Lithopone — White pigment for paints and lacquers
16. Chromoxydgrün — Green pigment for paints, plaster, stone-wood
17. Eisenoxydfarben — Pigments for building materials from concrete, for plaster, paints, linoleum, stone-wood
18. Glutolinleim — Binding agent for glue water colors and whitewash
19. Glutolin-Kleister — Glue for wallpaper
20. Kalle-Spachtelmasse — Waste paper for wallpaper
21. Oppanol-Folien — Foils for the caulking of flat roofs terraces, balconies, tiled walls
22. Locron — Fire protection agents for wood and textiles
23. Intravan — Fire protection agents for wood and textiles
24. Tutogen — Foam producer for fire extinguishers
25. Basilit — Wood protection agents against dry-rot
26. Antinonnin — Wood protection agents against fungus
27. Bicella — Wire glass for windows, hot-houses
28. Cohesan — Agglutinant for tiled walls
29. Kauritleim W — Strong-glue, plywood-glue
30. Feuerkitt Höchst — Self hardening fire clay for furnaces
31. Hydronalium-Metall — Light metal for construction fixtures
32. Atrament — Protective against rust
33. Vinidur — Piping material for water systems and sanitary systems
34. Igelit — Upholstery material for furniture
35. Indanthrenfarben — Fast colors for textiles
36. IG-Lackrohstoffe — Raw materials for furniture lacquers
37. Agfa-Kunstseide — Textile fabrics for curtains, wall draperies
38. Vistra XT — Textile fabrics for rugs and wall draperies
39. Syntholit — Gravel for street- and road construction
40. Dispersion Y — Binding agent for road surfaces
41. IG-Kunststoffe — Material for floor coverings
42. IG-Emaillefarbkörper — Enamels for sanitary systems
43. Leuna-Propangas — Cooking- and heating gas for kitchen and bath
44. Eulan — Mothproofing agent for textiles
45. Iporka — High-class insulating material for refrigerators



Case 6  
Defense

for all defendants

BASIC INFORMATION DEFENSE

Supplement I to Vol. II

Doc. No.	Exh. No.	Contents	Page
24		I. Dyestuffs and auxiliaries	52
		II. Heavy Chemicals	55
		III. Metals	61
		IV. Nitrogen and Oils	64
		V. Plastics, synthetic fibres and their raw materials	69
		VI. Photographics	77
		VII. Pharmaceuticals	78
		VIII. Concluding remarks	84





AFFIDAVIT.

We, the undersigned technical members of the Vorstand  
of the I.G. Farbenindustrie Aktiengesellschaft

- 1) Dr. Otto MEROB
- 2) Dr. Ernst BUEGIN
- 3) Dr. Heinrich BUTEFISCH
- 4) Dr. Fritz G. JEWSKI
- 5) Prof. Dr. Heinrich HOERLEIN
- 6) Prof. Dr. Carl Ludwig LAUTENSCHLAGER
- 7) Dr. Fritz von MEER
- 8) Dr. Carl WURSTER

at present Nuernberg, have been duly warned that we make  
ourselves liable to punishment by making a false affidavit.  
We declare under oath that our statements are true and  
were made in order to be submitted in evidence to Military  
Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

The following treatise which we have written, "Examples  
of pioneer achievements of the I.G. Farbenindustrie Aktien-  
gesellschaft in the scientific and technical field" is in  
accordance with our best knowledge, memory and judgment,  
supported by documents.



Examples  
of pioneer achievements in the scientific and  
technical field

of the

I.G. Farbenindustrie Aktiengesellschaft



I. DYESTUFFS AND AUXILIARIES

Until the middle of the eighteenth century, only natural dyestuffs which for the most part had their origin in the plant kingdom were known. The English researcher PERKIN invented the first artificially produced dyestuff, Mauvein, in 1856. This invention gave the impetus for founding factories for dyestuffs from coal in England, France and Germany, which in the beginning produced the first brilliant, but for the most part very unstable anilin-dyes according to empirical methods. Thus there arose in Germany in the sixties and the beginning of the seventies most of the firms which in 1925 combined to form the I.G. Farbenindustrie Aktiengesellschaft.

The development of the dyestuff industries in the countries involved took very different paths. In Germany it led to the flourishing of scientific research in the field of organic-aromatic chemistry and laid the foundation of the hegemony of the German chemical industry decades in advance. The names of A.W. von HOFFMANN, A. KEKULE, A. von BAYER, E. FISCHER, have been permanently enrolled in the annals of organic chemistry.

The close connection between science and industry bore rich fruits. From the seventies until the first world war an inexhaustible stream of new and ever-better dyestuffs poured from the laboratories of the German dye factories. They conquered the world market. Only the Swiss dye factories had any perceptible share in these scientific and commercial successes.



(page 53 of original)

Let us mention the following as particular stages of the period of development:

The development of the assortment of true aniline dyes,

The synthesis of the natural dyestuff of the madder plant, of the alizarine, and the production of various differently colored fast alizarine dyes.

The development of many hundreds of azo dyes, among them the fast black dyes which supplanted the natural dye of the log wood,

starting with sulphur black (Vidal, France) the discovery of numerous valuable sulphur dyes,

and finally, as the crowning point of the research: the synthesis of the natural dye, indigo, at that time the largest consumer dyestuff in the world (Ludwigshafen 1897, Hoechst 1902).

The competition newly arising everywhere after the first world war forced I.G. Farben to more intensified research in the field of dyestuffs. For the purpose of maintaining its export business, it knowingly and emphatically turned to the development and propagation of the newer fast dyestuffs. Even before the world war Ludwigshafen had discovered in indanthren blue (Bohn 1901) a dyestuff of hitherto unattained light and washing fastness. Dyestuffs of similar fastness and brilliancy followed through the labors of the laboratories in Ludwigshafen, Leverkusen and Mankur. In addition came brilliant and fast derivatives of this indigo (Friedlaender 1903) in Biebrich and Hoechst. The plant at Offenbach discovered Naphtol-AS Red in 1913, a very fast dyestuff, which forms on the textile fibres themselves. These dyestuff groups were systematically expanded to the so-called Indanthren assortment.



(page 54 of original)

They met the highest requirements of the textile industry with respect to brilliancy and fastness in dyeing and printing. At the same time, special assortments of fast dyeing of leather and paper, for lithographic printing and the wall-paper industry, for furs, rubber products, for car finishes and paints, were produced. Hand in hand with the development of these new dyestuffs, the demands for production of new intermediate products increased. Here too, entirely new paths were taken, such as the employment of catalytic processes (aniline, anthraquinone, phthalic acid), the use of aliphatics, the introduction of the fatty acid radical into the dyestuff molecule, etc.

In the last decades, the development of the textile industry continually brought up new problems. Besides cotton, wool and silk, there were the artificial silk, synthetic fibres and finally, the full synthetic fibres (PECE-fibers of I.G. Farben, Nylon Dupont). The production of mixed tissues from the various natural and synthetic fibres came more and more to the foreground. In addition to the dyeing, the modern print was successful to an ever-increasing degree. This development of the textile industry necessitated the creation of the so-called textile auxiliaries. Here too, I.G. Farben was the leader. New types of wetting agents ("Nekal"), deturgents, ("Igepono", "Cyclanone") ingredients for textile printing pastes were developed. Besides, there were steeping methods, ingredients for intensifying light and washing fastness, products for waterproofing fabrics and for mothproofing woollens (Eulon), as well as finishing methods and so forth.



Some of these products opened up new commercial markets, for instance modern high grade detergents, which can be used for washing delicate fabrics, such as silk stockings, woolen sweaters, and artificial silk underwear. The high-grade detergents play a very important and ever increasing role in the modern household.

Synthetic tanning agents as well as synthetic leather oils and greases were developed for purposes of tanning hides of every description and for the perfection of the produced leather in such a way.

## II HEAVY CHEMICALS

The manufacture of synthetic dye-stuffs by the original firms of the later I.G. Farbenindustrie Aktiengesellschaft during the first ten years of its development, also presented the technique of production of inorganic products, the so-called heavy-chemicals, with completely new problems. In many cases the economic production of an already known product or the large-scale technical production of new inorganic chemicals, was the basis of the technical and economical workability of the production of highgrade inorganic products, such as dyestuffs, pharmaceutical products, plastics and so on.

It is characteristic for the invention and technical progress of the production of inorganic heavy chemicals that it did not only develop in the direction of ever increasing and more economically produced quantities of its output, but that at the same time



when the methods of production were improved the purity of the product was improved as well, and in such a way, there could be created an important initial condition for the amelioration of the quality of the finished product.

CHLORINE, which is a highly reactive gaseous product, which is used for the most variegated purposes in chemical industry, was, up to the 'eighties of the last century, produced only by way of a purely chemical process in comparatively small quantities from crude salt. When scientific research had led to the result that one was able to extract caustic soda (sodium hydroxide) from a watery solution of crude salt by conducting an electric current through it, Griesheim "Elektron" (Ignatz Stroof) developed in 1884 - 1888 a new technical apparatus, the so-called diaphragm cell for the technical part of this process. In this new way chlorine and alkali-products were manufactured in Griesheim and in many other places in the world in a brand new manufacturing-process in a quantity sufficient for technical purposes. "Magnetit" was used for the first time in this process as an anode agent and counter-pressure in the condensation of caustic alkali.

The universal use of chlorine for many purposes, such as the bleaching of cellulose, became only possible when one had succeeded in transforming the gaseous chlorine by compression and condensation into a transportable liquid. Rudolf KNIETSCH, Ludwigshafen, was, approximately ten years later, the first one to be successful in producing liquid chlorine in a process discovered by him.



in a quantity sufficient for technical purposes. As chlorine is a very active gas, new engineering problems arose conjointly with this pioneering invention. The Kniet-process was, developed, during the following years and decades by the chemical industry of the whole world and this invention has made possible hundreds of thousands of tons of chlorine are now condensed and made transportable.

Following up STROOF's invention the plants in Hoechst, Leverkusen and Ludwigshafen also participated later on in this work and made important contributions to the further development of the manufacturing process of chlorine and alkalies by electro-chemical process; during the years between the two world-wars the I.G. plants made decisive technical contributions towards the development of the so-called amalgam process and produced caustic alkalies without the formerly necessary evaporation process in previously unattained purity and concentration. The industry of bleaching agents, solvents detergents dyestuff intermediates, plastics and chlorine is no longer imaginable without chlorine nor the manufacture of soaps, dyestuffs, expedients for textiles, artificial silk, staple fibre and many other products without caustic soda (sodium hydroxide).

The development of the technical production of alkali-chlorates followed this electro-chemical process (Griesheim, Bitterfeld).

Probably the most universally used chemical in chemical industry in particular and in industry in general



is sulphuric acid. Up to the last decade of the last century sulphuric acid could only be produced in a diluted form by the roasting of pyrites and oxydation of the thus developing sulphur dioxide-containing gas with nitric acid. The sulphur dioxide which was produced in such a way was comparatively impure and had to be purified and concentrated for certain usages by a special process.

It was again KNIETSCH in Ludwigshafen who succeeded at the beginning of the 'nineties in replacing nitric acid by catalysts (platinum, later on vanadium compounds) and that the same time producing pure concentrated sulphuric acid i.e. oleum in one single process.

In this pioneer-invention of the catalytic sulphuric acid process he created one of the most important basic conditions for the development of the indigo-synthesis and innumerable other chemical processes. Through the sale of licences sulphuric acid factories were gradually set up all over the world which produced millions of tons annually of the acid according to the process invented and improved by him.

The known deposits of pyrites are very limited; while searching for raw materials which might be used instead, KUEHNE Leverkusen found in 1918 a new way of producing sulphuric acid from gypsum in the presence of additional clay, and at the same time obtaining perfect Portland cement as gypsum is found in the crust of the earth in almost unlimited quantities. This process which is now being used in several countries is of great importance for the future.



The thus produced sulphuric acid is of the same grade of perfection as that obtained from sulphur and pyrites.

Another process worth mentioning in the field of sulphur-chemistry is the production of sodium hydrosulphite from sulphurous acid and caustic soda in the presence of reducing agents which were invented by Bazlan, Ludwigshafen, 1907. This product, in the form of "Blankit" and "Rongelit" is an indispensable ingredient in the dyeing of textiles and bleaching agents.

Sodium sulphide, the inorganic product which is, among other things very important in the production of the frequently applied so-called sulphur dyes and in tanning, had for tens of years been produced only by reduction of sodium sulphate by carbon. This process has not only the drawback that it works discontinuously and very cumbersome in several separate batches, there is also a quite considerable amount of inconvenience for the operative personnel.

The personnel of the I.G. Farben succeeded during the 'thirties of this century in producing sodium sulphide in highly concentrated form, especially suitable for transportation (so-called "sulfigran") by reduction with hydrogen (Leverkusen) or in an especially pure form by (Leverkusen)  
a new electro-chemical process. Both processes are continuous.

An important product for the carrying out of chemical syntheses, especially in the production of dyestuffs,



Basic information Case 6  
Part 2

plastics, and lubricating oil, is anhydrous aluminum chloride, which was formerly manufactured only through treating metallic aluminum with chlorine. Through a considerably more economical process which was carried out by means of apparatus of entirely new construction, (C. WURSTER, Ludwigshafen, 1927) succeeded in producing anhydrous aluminum chloride from raw materials containing alumina, through adding chlorine and carbon monoxide, thus making the commercial exploitation of a series of syntheses feasible which prior to this invention had been impossible. As to the pyrotechnical industry, the manufacture of matches, but above all the manufacture of detergents, cleansing agents, and fertilizers, the production of elementary phosphorus and phosphoric acid from phosphates in a technical process exploitable on a large scale involved a highly significant progress (Pistor-Griesheim, 1900 and following years). In Germany as well as in the U.S. (Monsanto) the largest part of the production of these products took place by utilizing the electrothermic process further developed by the I.G. Farben in Piestertitz in 1927 to the most up to date method.

In many technical processes of industrial chemistry auxiliary chemicals are needed, of which considerable quantities in the form of waste gases or sewage are lost in the course of the working process. This applies e.g. to solvents, to benzene in coking, and to many other products. The production of so-called active charcoal through which it is possible to absorb and ~~retain~~ such agents almost in full (Leverkusen 1920) constituted enormous progress. Also sulphur, which strongly diluted is an ingredient of the most varying gases and waste gases,



is extracted by means of active charcoal. Active charcoal is mainly produced through heating cellulose-containing material under elimination of air in apparatus of special construction.

The so-called "Alkazid" process later on (Ludwigshafen, Leuna 1930) made possible the large-scale extraction of sulphur from gas mixtures through application of chemicals in solutions serving as adsorbent agents.

From the extensive field of inorganic chemistry and among the fundamental contributions which the plants of the I.G. Farbenindustrie Aktiengesellschaft have furnished to the development of this branch of chemical science, only these few examples have been selected as being in their realization of particular far-reaching significance.

### III. METALS.

With the production of metals the I.G. Farben plants concerned themselves mainly when it was possible to apply knowledge and methods of procedure developed by them to the extraction of metals, which are normally produced through metallurgical processes.

Already the development of electrochemical and electrothermic processes for extraction of chlorine, alkalies, and phosphorus products, described in the chapter entitled "Heavy Chemicals", was dependent upon the development of electro-engineering (invention of the dynamo) and the generation of electric energy.



The electrochemical processes for production of metals fall under the same category as the procedures created anew in the classical research countries on the basis of the aforesaid inventions and to-day representing the foundation of the production even outside Europe.

Owing to this development part of the demand for metals heavily increasing during approximately the last hundred years could be satisfied through the appearance of two new metals in the course of the last 50 years, the light metals aluminum and magnesium.

The creation of the aluminum alloy "Dural", a German invention (1906), secured the most extensive use of aluminum as construction material, the same result was achieved with regard to magnesium through the invention of the alloy "Elektron" by Griesheim in 1908.

During the short period in which they have been used the world production of these metals, in spite of their relatively high prices and complicated manufacturing process, has already reached 2% of the iron production measured by weight and 6% measured by volume, owing to their low specific gravity and to their quality of being easily processed. Apart from the obvious advantage of the light weight and consequently the avoidance of the so-called dead load in construction of all kinds, in particular in the building of vehicles, the importance of these light metals even for a very distant future can be illustrated through a reference to the world situation with regard to the original materials for the production of these metals.

The raw materials required for the production of aluminum and magnesium are found most widely spread



throughout the world, and in particular for magnesium, sea water is, in the true sense of the word, an inexhaustible source of raw material, quite in distinction to the raw material situation as regards iron and all other heavy metals.

Up to 1919 the German production of aluminum was mainly in the hands of Griesheim and the Metallgesellschaft A.G., but following the first world war it was taken over by the government in consequence of the nationalization measures initiated at that time.

The production of magnesium, which is still one third lighter than aluminum, in a large-scale industrial process, was developed by PISTER and his assistants in Griesheim, and in the course of the years became operative not only in the factories of the I.G. Farben, but by means of the same process also in huge plants in England, France, and the U.S.A.

The technical rationalization of the synthesis of nitrogen products in the high pressure process gave chemistry dealing with the metals iron and nickel quite new ideas. By means of a highly original process these two metals are transformed from their raw materials first into liquid carbonyl compounds under high pressure and through the action of carbon monoxide. By increased temperatures these compounds can be further decomposed and the result is very pure iron or very pure nickel of very fine granulation (Ludwigshafen: A. MITTASCH and L. SCHLICHT 1928).

In this form the metals are particularly suited for special purposes in the fields of electro and machine engineering, as well as for special alloys.



As a third example of application of chemical experience to the extraction of metals the Duisburg "Kupferhuetten" in Duisburg founded by various of the original I.G. Farben plants, is to be mentioned. In this plant purely chemical methods are used to extract all metals found in residues from the manufacture of sulphurous acid from pyrites, although these residues contain the metals actually only in so very small quantities that they could not at all be attacked by the orthodox metallurgical procedure. Thus this plant besides iron produces in particular copper, zinc, cobalt, bismuth, silver, and even gold, and processes raw materials from the most ~~various~~ countries of Europe.

The constant stimulation through scientific and technical experience gained in the various I.G. Farben plants, of which the Duisburg "Kupferhuetten" could make use at any time, made this development possible and caused the Duisburg "Kupferhuetten" to grow into a unique as well as the largest "ore-refining establishment" of all Europe, which already to-day again fulfils its task, being used now again for this purpose also by foreign countries and being in process of constant expansion.

#### IV. NITROGEN AND OILS.

The great inorganic syntheses were followed by results in other important fields.

- 1) Through various methods it had been attempted in the outside world to find a chemical compound by which to extract nitrogen from air in order to apply it to the soil in some suitable form as fertilizer.



About 1890 the first calcium cyanamide factories were established, and after 1900 the Norwegian scientists Birkeland-Eyde as well as the "Badische Anilin und Sodafabrik" through SCHOENHEER and HESSBERGER (1903) tried to combine nitrogen with oxygen in the electric arc. The first procedure supplied nitrogen for agriculture only for limited purposes, the second procedure was technically unsatisfactory.

The road was opened to a new procedure. It was not invented, but primarily found by computation. On the basis of physical and chemical laws developed as new experience about the turn of the century by Professor NERNST, Professor HABER predicted that it must be possible to combine nitrogen and hydrogen to get ammonia. However, a commercial exploitation of this knowledge was possible only when working under high pressures and by increased temperatures.

Professor BOSCH started to work on this difficult problem together with his assistants in Ludwigshafen. In 1913 the first commercial plant for production of ammonia from nitrogen and hydrogen under high pressure was put into operation there.

Thereby a pioneer work of importance to the whole world had been accomplished in the chemical field by the I.G. Farben, the first high pressure synthesis. It required construction of new machinery and containers of hydrogen-proof steel, new measuring instruments and new types of contacts. Chemists and engineers of the I.G. Farben mastered this problem



(Page 66 of criminal)

so that the idea of the high pressure synthesis cannot be any longer eliminated nowadays from the chemical technology.

The ammonia synthesis according to Haber-Bosch was soon accepted, partly in a modified form, by the world at large, so that nowadays several millions of tons of ammonia are produced according to this process. Ammonia cannot be used directly as fertilizer for plants. By a simple process it is possible to transform it with sulphuric acid into the fertilizer ammonium sulphate. Here the I.G. with its technicians was again in the foreground with pioneer work by developing chemically in its agricultural research stations, from ammonia new kinds of fertilizers which were adaptable to the most varied cultivation, soil and climate conditions. In that way the Oppau and Ludwigshafen plants of the I.G. in the years 1920 to 1936 contributed to agriculture by research and developing the following fertilizers:

- 1) mixed ammonia sulphate nitrate
- 2) calcium nitrate
- 3) mixed ammonium-calcium nitrate
- 4) "Nitrophosk" "Kalknitrophosk" "K-Phos"

and as a further product urea, which for the first time was produced synthetically by Bosch and Meiser in 1922 at Ludwigshafen/Oppau from ammonia and carbon dioxide under high pressure.

The method of production and composition of these new kinds of fertilizers were guaranteed to the I.G. by innumerable patents, and licences for production were granted by it all over the world.

The cheap manufacturing of synthetic nitrogen created



(page 67 of original)

new utilization possibilities in the technical field. The mentioned urea was utilized in the plastics industry. A new refrigeration industry was developed by using liquid ammonia, ammoniumcarbonate, ammonium chloride, nitric acid, ammonium phosphate and other derivatives were applied in practice through at the entire industry.

For the manufacturing of nitric acid from ammonia new methods with special catalysts were developed at Ludwigshafen (Wild, Mittsch 1915).

2. Already in 1923 second highpressure synthesis was invented at Oppau. Pier discovered, according to previous patents of SCHUBERT, that carbon monoxide and hydrogen can be transformed under high pressures with special catalysts into methanol. This synthesis was completely developed technically at Leuna (1925). Its significance, including the manufacturing of higher alcohols, is described somewhere else in this document. Remarkable is the fact that therewith the high pressure synthesis found its way into the field of organic chemistry. Methanol became to a large extent the source of preliminary products for the plastics industry.

It is interesting hereby that the two new high pressure syntheses, urea and methanol, opened up to a large extent the new field of the urea-formaldehyde-plastics.

3. third innovation important for world economy, was brought about by the application of the high pressure synthesis in the field of the mineral oil industry.

Professor BERGIUS started from the theory



(Page 68 of original)

to combine hydrogen under pressure with coal in order to gain liquid hydrocarbons. Professor BOCK took up this problem with an enlarged aim in mind in 1923, by setting himself the task to transform all heavy hydrocarbons which are deposited in the soil in large quantities in the form of heavy oils, soft and hard coals into selectable mineral oils.

By working tenaciously, he and his numerous co-workers (HILDE, PIER and others) succeeded in mastering this problem by applying the experiences in the field of the high pressure technique and in developing a technical installation at Leuna (BOCKMEIER-BUSTEFELD and others 1926). The process known as benzinehydrogenation, benzinesynthesis or coal-liquification was made available to the whole world especially for the application in the petroleum industry, by agreements with the Standard Oil (USA) in 1929. In the course of this process it became possible to manufacture special lubricating oils, special kinds of gasoline and gas oils with this high-pressure synthesis and to gain fundamentally new perceptions in the field of the application of catalysts, as well as to develop new components for the high-pressure synthesis.

The new high-pressure synthesis in the field of mineral oils instigated further technical research work. BOCK for instance in 1931 together with (MUELLER-GURDI) the way was found to manufacture isooctane a higher grade airplane fuel from the isobutylalcohol produced in the alcohol high pressure synthesis using catalysts. The last phase of this



(page 69 of original)

process was applied likewise in America in order to manufacture isopetrol from refinery waste gases. The new synthesis in the sphere of lubricating oils in connection with the mineral oil field, which were developed by the I.G. (Leuna) are enumerated in this document in the context with plastics and their preliminary products.

To the field of these new syntheses belong also the important developing tasks in the sphere of gas generation which the I.G. started to tackle to a larger extent from 1926 on. As one of the most important inventions of the I.G., the gasification of coal dust with air supplemented with oxygen in pots (Ludwigshafen, Fritz HAHLER 1920) should be mentioned; a method, which to a large extent was applied all over the world for the synthesis of ammonia, methanol and hydrocarbons (hydrogenation and Fischer-Tropsch process) for the manufacturing of gases for syntheses. Likewise a new gas purification process was developed, which enabled the production of great quantities of sulphur from coal.

#### V. Plastics, synthetic fibres and their raw materials.

##### 1. Plastics and synthetic fibres.

The synthesis of organic dyestuffs started that section of organic chemistry which had the definition of the structure of natural matters and their artificial production as its aim. This line of work



(page 70 of original)

was continued in the field of pharmaceuticals and was crowned with an important technical success lastly in the synthesis of rubber and many plastics.

As early as the last century English scientists tried to find out the connections between the inner structure of the rubber molecule and the known characteristic qualities of this elastic material. Around 1910 the chemical-technical analysis of the rubber synthesis was started in various countries, however it was a difficult problem to manufacture this so very cheap natural matter in an economical manner. In order to be able to compete, not only a favorable actual cost price had to be achieved but it was first of all decisive to put the valuable qualities of rubber also into the synthetic product.

During World War I this aim was not achieved with the methyl-rubber (Leverkusen 1916). Therefore, the research work started on another new basis between 1920 and 1930 that is in the I.G. plants Hoechst, Ludwigshafen/Oppau and Leverkusen. Each laboratory of these factories took over the solving of a different phase of this synthesis and at the beginning of 1930 it became clear that thanks to this "four-stage process" how a synthetic rubber could be obtained in an economical manner. In the new method of the copolymerization under the biological conditions of emulsions, they succeeded in manufacturing various synthetic kinds of rubber, of which the most important types are; the tire rubber "Buna-S" manufactured from butadien and styrene and the oilproof rubber "Perbunan" manufactured from butadien and acrylic nitril acid (Monrad, Leverkusen).



Page 71 of original

These are the brands which even in the United States have been manufactured as first-rate products, as they have proved to be the very best of all, based on joint experiments for their utilization. In 1934 the technical and engineering side of the process was commenced, and as from 1935 it was adapted to large-scale manufacturing (Ambros, Ludwigshafen).

The I.G. also applied this research work, connected with the rubber synthesis, to other basic materials and thus created the synthetics with special qualities, which in turn opened up new fields of utilization.

Thus, in 1920 Mueller-Cunradi and Otto in Oppau took, instead of the above-mentioned Butadien, the Isolutylene and polymerized it at low temperatures, in this way obtaining a rubber-like material of high chemical-resisting qualities which product superseded rubber in certain special fields. In commemoration of the locality where this invention was made, this valuable material was called "Oppanel" in Germany. It was adopted in the United States as a synthetic material under the name of "Vistanex", and a similar type was called "Paratone", which was used to improve the viscosity of lubricating oils.

The "Parafflow" is used in the same field, which material is obtained by naphthalene condensed from paraffin, and which regulates the freezing point of lubricating oils.

The polystyrene is a crystal-clear material with high electrogenic qualities, the manufacturing of which has been started in 1929 by C. Walff in Ludwigshafen, where the initial work had taken place, and since then it has been adopted in all civilized countries. Another plastic, which was adopted by many branches of industry because of its rubber-like qualities and its low price, is the Polyvinyl-chloride which had been discovered by Rolle as early as 1904.



Page 72 of original

in the IG plant Griesheim-Elektron. Apart from the bakelite the Polyvinylchloride or "Icelit", as it is also called, has probably been used more than anything else. Because of its thermoplastic qualities Polyvinylchloride is used for construction parts such as pipes, fittings, etc. both extruded as well as moulded and as rolled foil. By using plasticizers an elastic-soft material had been obtained which has been introduced all over the world as floor tiles, synthetic leather, and coating pastes (Dick, Bitterfeld 1934).

In 1926 the IG plant Griesheim discovered a valuable derivative by treating the Polyvinylchlorides <sup>with chlorides</sup>. By this process the valuable lacquer raw material "PE CE" is obtained, which material can be used for spinning, as it was used in 29 by the IG Wolfen-Film, thus creating the first fully synthetic fibre called the PE CE-fibre.

In 1930 W. Reppe found in Ludwigshafen another group of acetylenederivatives, which were introduced into the adhesives, injection moulding, and insulating technique under the name of Vinylethers or "Igevine", "Luvican", "Oppanol" C", and many others. The term "Reppe chemistry" signifies new valuable synthesis all of which were first introduced in the "30s, and even during the unruly period of World War II. Having purely scientific objects in mind, W. Reppe and his associates opened up entirely novel methods for transforming acetylenes into almost unknown materials up to that time. By using formaldehyde he obtained in 1937 Butenediol, thus introducing a new buna synthesis. Another method did not produce Buna, but a new synthesis of



Page 73 of original

"Nylon from lime and coal!" By using carbon monoxide and alcohol Reppe obtained from acetyles the valuable acrylicestus, the synthesis of which was up to then very expensive and difficult to establish for the use in first quality lacquers. In 1938 Otto Bayer synthesized in Leverkusen the Herylicunitril by extracting it from prussic acid and acetyles, the above mentioned components of "Perbunan", which are used in oil-proof rubber tubes.

By using acetyles only, however introducing new methods J. Reppe created in 1943, as the last new material during the war, the cyclo-octatetraene, a chemical material which was rarely found in the chemists closet, and which is likely to open up an entirely novel and highly interesting field in chemistry !

The progress made by the Americans in the Nylon field naturally induced German chemists to go their own ways. In the Polyurethanes, Otto Bayer in Leverkusen opened up a class of element components in 1937, which appears to be highly promising .

This material is either used for spinning, by which silk fibre (Perlon U) can be manufactured, or it can be used for making valuable bristles. On the other hand, it can also be used for making plastic materials, which are very light and still possess high resistance - proof qualities. These materials have very pronounced adhesive effects and thus excel all glues ("Polystal"); in the shape of foamy materials ("Moltopren") they have insulating effects. In the last stage they succeeded in producing an elastic material, which thus constituted a new type of Buna, apart from the already existing types of Buna.

In connection with this modern fibre chemistry, another invention from the year 1905 must be mentioned, the "Celli" from Elberfeld, which was particularly successful in the United States of America.



Page 74 of original

It stands to reason that the IG plants also got in on the ground floor as far as the development of the viscose silk was concerned. The first staple fibre which, contrary to the indefinite thread of synthetic silk, is being processed as staple fibre like wool or cotton, can be traced back to developments conducted in the IG Rottweil Plant. Later variants such as "Vistera", "Cupranga", and "Lanusa" have been developed by the IG plants at Wölfen, Leverkusen and Ludwigshafen.

It is obvious that the new technique for manufacturing synthetic rubber, as well as the many types of plastics, also stimulated related fields of the chemical industry. With his work about methol rubber in 1916, Hoffmann, in Elberfeld, opened up the field of vulcanization accelerator and age-proofing agents, which today are an indispensable part in the manufacturing field and processing even of natural rubber.

The processing of synthetic materials in connection with plastic materials required new plasticizers, which have been developed in all the IG plants, from where they were put on the market. Thus, the IG plants became pioneers in the synthetic material field. Many engineering progresses especially in electric engineering, could not have been brought about if chemistry, and in particular the IG Farben had not developed new synthetic materials for this purpose.

## 2. The raw materials.

In order to develop this extensive field of the synthetic rubber, synthetic materials and synthetic fibres, and adapt them for industrial purposes, a new raw material bases had to be created and developed. It is significant for modern chemistry in all countries, that the age of the



Page 75 of original

aromatic chemistry after World War I was followed by a new and special development in the field of aliphatic chemistry the so-called derivatives

the carbon monoxide  
the Ethylene  
and the Acetylene.

The basic raw material position in the individual countries played, of course, a major part in this connection, as, for instance, in the case of the United States of America, or Russia, where the mineral oil industry determined all further developments, whilst in Germany - a country with very few basic raw materials - the acetylene and the carbon monoxide were adopted for the purpose of synthetic raw material bases. Both conceptions, however, stimulated one another's development. With the following only a few landmarks of the development in Germany shall be shown, especially those that <sup>have</sup> been set by the IG plants:

It was the chemist Gruenstein in Griesheim, who in 1916 transferred the acetylene in acetaldehyde and acetic acid. Thus, in conjunction with the Hoechst IG Plant and above all with the chemical concern Dr. Alexander Wacker in Burghausen, which firm entertained friendly relations to the I.G. Farben, he opened up the field of modern lacquer solvents, the acetic anhydride for the cellulose acetate as well as many other pharmaceuticals and dye stuffs. Considering the importance of the acetylene for this particular German development it was obvious that, apart from the carbide synthesis, other new bases were developed which utilized the waste gases of the benzene syntheses. It was the so-called cracking of hydrocarbons in the electric arc. Ludwigshafen used this technique from 1929 on and built the first experimental plant following.



Page 76 of original

to the refinery at Baton Rouge in Louisiana.

A second Branch is derived from carbon monoxide and led to methanol by the catalytical high pressure synthesis, as developed by Ludwigshafen in the years after the first world war. By variations in the composition of the contact, it became possible to synthesize all alcohols from coal and thereby to transform the former picture of the aliphatic raw materials. (Leuna 1938). The consequences are to be found in the field of plastics, in other raw materials and solvents and many syntheses of the intermediates chemistry. We need only to cite the methyl formate which became the basis for formamide and thereby for a new synthesis of cyanogen compounds (Ludwigshafen 1925). With synthetic methanol, the field of formaldehyde was forced to expand, which had particular effect in the plastics, synthetic tanning agents and in a special field of synthetic adhesive glues ("Kaurit", Oppau 1928). As chemistry also approached the complicated higher molecular like paraffines and waxes, the chemist of I.G. Farben succeeded in producing fatty acids for soaps, textile auxiliaries and plasticisers by modern processes of paraffine oxydation (Ludwigshafen 1921). By appropriate combination with other compounds, valuable waxes were derived of the quality of the Carnauba and bees wax, the so-called I.G. waxes (Ludwigshafen 1928). This chemistry was followed by new research in the field of synthetic lubricants, as finally discovered by Ludwigshafen and Leuna. A strong branch of modern chemistry is based on ethylene, which led to the cracking process in the USA and USSR.



Page 77 of original

Germany did not have this basis, and so that synthesis had to take laborious new paths, which was solved above all by the partial hydrogenation of acetylene by Ludwigshafen in 1939. Record achievements led to decisive results in Germany as well as in the USA. I.G. Farben produced ethylene lubricating oil and as derivatives of ethylene oxide and ethanolamine highly valuable detergents and textile auxiliaries, which gained world-wide renown under the names "Igepon" "Soromine" and others.

Here too, the tireless research drive of the I.G. Farben plants in ideal internal competition with the I.G. laborator produced new materials which were to help overcome all shortages of a Germany poor in raw materials. In this series "Mersol" belongs as a final product, discovered in 1939. With reference to the "Reed" process, Leuna "sulphochlorin" suitable hydrocarbons of the Fischer synthesis and photochemically guided this process in such a way that an effective detergent could be given to the market.

#### VI. Photographics.

The art of photography, limited from the time of its inception to reproduction in black and white, fulfilled the longing of every photographic artist, as well as of mankind with the discovery of the "Agfa-color" process, namely, the conquest and mastery of color.

This process, based on experiments by Rudolf Fischer, was developed in the laboratories of Agfa (1937).



Page 78 of original

If the production of colored pictures was a more or less physical problem or one of apparatus with the former methods, the solution by means of the agfacolor process was achieved purely chemically.

By this means, the process was effortlessly included in the conditions which had been developed up to that time in the black and white films, so that no special apparatus was necessary in the studio, movie theater or for the amateur.

The Agfacolor process made it possible for the first time to produce colored pictures on film or paper by a simple process.

#### VII. PHARMACEUTICS

##### Sera, Vaccines, pest-combatting agents

Research and production was carried out in the plants and laboratories of I.G. Farben in

Elberfeld /Leverkusen-Rhein  
Hoechst am Main  
Marburg /Lahn

Synthetic drugs, biological products, sera and vaccines and pest-combatting agents were produced in these plants as the result of close co-operation of chemists, pharmacologists, bacteriologists, and physiologists. The Bayer products were known to the whole world under the trade-mark "Bayer-Cross".



Page 79 of original

1. Chemical - synthetic products and biological drugs

- a) In the field of Antipyretics, "Antipyrin" (Knorr) was discovered in Hoechst in 1884 and "Phenacetin" (C. Duisberg, Hinsberg) in Elberfeld in 1888.

With these two road - breaking discoveries, the modern synthesis of drugs had its beginnings! In the course of further development, "Pyramidon" was produced in 1893 (Hoechst, Fr.Stolz) and "Aspirin" in 1898 (Elberfeld).

These two products have developed to standard preparations in therapy; they are administered through the mouth in all diseases accompanied by fever and in all cases of pain and inflammation. From the extensive list of the Bayer antipyretics, let us here mention only "Novalgin", administered by injection. (Hoechst, Bockmuhl, Windisch).

- b) The "Salvarsan" products represent a special group. These synthetic, organic, arsenic-containing drugs were the first great result of chemical therapy. Old-Salvarsan was produced in 1910 by Hoechst (P.Ehrlich). It is still the means of choice in cases of syphilis and frambesia.

Thanks to the discovery of salvarsan, the plague of syphilis is destined in many countries of the world to become a gradually dying disease!

A few years later, improved derivatives followed: "Neosalvarsan" (Hoechst 1912) and "Mayosalvarsan" (Hoechst 1926 Streitwolf, Fehrle, Lautenschlaeger).



Page 80 of original

c) Group of tropics preparations.

The Bayer laboratories always considered it their foremost task to mobilize their research for the struggle against tropical diseases. They were able to make available to the physicians of the world a number of important preparations. They represent inventions and discoveries which today form an integral part of medicine and which have already saved the lives of many millions in the tropical zone but which will yet be able to save infinitely more millions of people from the epidemic death of malaria, sleeping sickness, bilharzia and leishmaniasis (Kala Azar).

We should mention in this connection:

"Germanin" (Bayer 205) (Elberfeld, Hayman, Dressel, Kothe, Roehl 1915),  
against the African sleeping sickness.

"Plasmochin" (Elberfeld, Schulemann, Roehl 1926)

"Atebrin" (Elberfeld, Mauss, Mietsch, Kuth 1932). Scientists from Elberfeld discovered new group of substances with excellent effectiveness against malaria parasites. Approximately of the human race suffers from malaria; for a long time quinine was the only medicine in use, but often caused serious after-effects.

"Fuadin" (Elberfeld, H. Schmidt 1926) against the Egyptian worm sickness (bilharzia) and

"Neostibosan" (Elberfeld, H. Schmidt 1928) against tropical leishmaniasis (kala azar).

d) Group of sedatives.

"Veronal" (Elberfeld, E. Fischer and Mehring 1903), as the oldest barbituric acid sedative. This medicine represented the beginning of a new era in the therapy of sleeplessness.



Page 81 of original

"Luminal" (Elberfeld, H. Hoerlein 1912).  
This medicine, which is related to Veronal shows great effectiveness against epileptic convulsions.

"Phanodorm" (Elberfeld, Schulemann, Weisenbar 1925)

"Evipon" (Elberfeld 1932)

e) Group of narcotics for surgery and local-anaesthetics

The first synthetic medicine for local-anaesthetic which eliminated the poisonous qualities of cocaine:

"Anaesthesin" (Hoechst, Ritsert about 1900)

"Novocain" (Hoechst, Einhorn 1906)

"Pantocain" (Hoechst, Bockmuhl, Eisleb, Lautenschlaeger 1930)

A new local anaesthetic which substantially surpasses the poisonous cocaine in its intensive anaesthetic effectiveness.

"Evipan-Natrium" (Elberfeld 1932) For brief intravenous anaesthetics.

"Dolantin" (Hoechst, Eisleb 1939) A synthetic medicine of great pharmacological importance as the first product with analgetic properties similar to those of morphium combined with the spasmolytic effect of "papaverine".

"Amidon" (Hoechst, Bockmuhl, Erhardt, Schumann, Lautenschlaeger 1943).  
Amidon represents a new great progress. Its effectiveness is ten times stronger than that of morphium is however like Dolantin not habit-forming. The Hoechst "Amidon" has come to be a leading analgetic in the USA where it is used under the name of "amidon, dolphin, adamon and methiden".

f) Group of hormone preparations

Hormones are of greatest importance to the human life; they act as regulators of metabolism and are secreted by glands.



Page 81 of original cont'd

"Hypophysin" (Hoechst about 1910) From the hypophysis,

" Suprarenin" (Hoechst, Fr. Stolz 1904). In developing "Insulin" (hormone of the pancreatic gland) which was discovered by Bunting and Best in Toronto (Canada), the genuine "Insulin" (native-insulin) was created under the name of



Page 82 of original

"Depot Insulin" (Hoechst, Lautenschlaeger, Lindner, Schrumm 1930), furthermore a liver preparation.

"Campolon" (Elberfeld 1933)

g) Group of vitamin preparations

In the special field of bio-chemistry Elberfeld conducted research in vitamins B and D.

"Betaxin" (Elberfeld, Andersag and Westphal 1935).

Synthetic antineuritic vitamin B against beri-beri disease and neuritis.

"Vigantol" (Elberfeld, Windaus and Linsert 1932). Therapy and prophylaxis of rachitis.

h) Group of sulfanilamides.

With the discovery of

"Prontosil" (Elberfeld, Mietsch, Karer, Dorn 1932) the foundation was laid for further chemo-therapeutical drugs against bacteriological infection by way of oral administration. Many countries of the world participated in the search for additional preparations in the group of sulfanilamides (sulfapyridin, sulfathiazol, sulfapyrimidin). The Bayer I.G. Laboratories too developed additional products in this group such as

"Uliron" and "Neouliron" (Elberfeld, Mietsch, Karer, Dorn 1937)

"Tibatin" (Elberfeld 1939). A special position must be accorded to the following drug:

"Marfanil" (Elberfeld, Karer 1941), which is effective against anaerobic infections.



Page 82 of original

2. Sera And Vaccines.

Prof. Emil von Behring, one of the foremost microbe hunters, was able to carry on his research along broad lines in the field of immunising (1892) only on account of an agreement between him and the former dyestuff plants Meister, Lucius and Bruning at Hoechst. Two years later a special department for the production of sera and vaccines was established at Hoechst. The main laboratories and production centers are in Marburg and Hoechst.



Page 83 of original

Uses: Combating of

- 1) diphtheria,
- 2) Tetanus
- 3) gas gangrene
- 4) botulism
- 5) anthrax
- 6) and other diseases.

### 3. Insecticide

The increase of agricultural production in the last half -century is dependent on the use of artificial fertilizers on breeding and on combating harmful insects. In the Bayer-laboratories the work on insecticides began in 1913.

"Uspulun" (Elberfeld 1915) Seed disinfectant on an organic basis and

"Trillantín" (Hoechst 1921).

"Ceresan" (Elberfeld 1929) marks an improvement of uspulun; it is used dry and can slow a universal seed disinfectant.

"Eulon" (Leverkusen, Stöetler 1922) is a moth proofing agent of invaluable importance in view of the great damage caused by moths to woolen materials.

"Nirosan" should be mentioned as an insecticide for wine and fruit growing. (Hoechst, Pfaff 19

Only the most important of the more than 700 products of the Bayer-laboratories in the fields of chemotherapy, biological products, sera and vaccines, plant protecting chemicals and insecticides have been named in this compressed listing.

Beyond these research fields the Bayer-laboratories also were engaged in developing medicinal products for veterinary use, dental products and bacteriological dyestuffs.



Page 84 of original

VIII. FINAL REMARKS

Of the many international recognitions and honors bestowed on the I.G.Farben for its work the following should be noted: At the World Exhibition of 1937 at Paris the I.G.Farben was awarded 9 Grand Prix for the following products and processes:

- 1) Indanthren dyestuffs
- 2) "Prontosil", the sulfanilamide mentioned on page 82
- 3) Coal liquification (gasoline synthesis)
- 4) Buna, the synthetic rubber
- 5) "Vistra" fibres
- 6) Cellophane, the transparent cellulose of the Kalle & Co. Company Wiesbaden-Biebrich, Friends of the I.G.Farben.
- 7) "Hydronalium", a light metal alloy
- 8) "Eulan" the moth proofing agent mentioned on page 83
- 9) Agfa Color Neu, a color film, and Agfa miniature cameras.

Twice, scientists of the I.G.Farben received the Nobel Prize for their work at the I.G.Farben:

Prof. Dr. Carl Bosch (together with Prof. Dr. Bergius )  
for coal liquification  
(Gasoline synthesis)

Prof. Dr. Gerhard Domagk for the discovery of the sulfonamide.

Munich, 30 April 1948



Otto Ambros  
Ernst Buergin  
Heinrich Buefisch  
Fritz Gajewski  
Heinrich Hoerlein  
Carl Ludwig Lautenschlager  
Fritz ter Moor  
Carl Wurster

I herewith certify and witness the foregoing handwritten signatures, authenticated by me, and which were affixed before me.

Nuernberg, 30 April 1948

Friedrich Silcher  
Attorney-at-Law



BASIC INFORMATION, Case 6, Part II

CERTIFICATE OF TRANSLATION

We, Ludwig Heymann, Thyra Thyssen, Wera Solander, and Elizabeth A. Johnson, hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Basic information, Case 6, part II.

Ludwig Heymann  
35096

Thyra Thyssen  
00628

Wera Solander  
20091

Elizabeth A. Johnson  
B-397941



CASE 6 - TRIBUNAL VI

DEFENSE

BASIC INFORMATION

Supplement 2 to Vol. 2

English



Defense Case 1  
H6

BASIC INFORMATION DEFENSE  
DOCUMENT No. 27

--- Supplement 2 to Vol. 2

Affidavit.

I, Georg Belz from Leverkusen, have been informed that I expose myself to punishment if I make a false statement in lieu of oath. I declare in lieu of oath that my statement is true and was made to be presented as evidence before the Military Tribunal Court No. VI at the Palace of Justice in Nuernberg, Germany.

I am an expert in the field of pictorial and graphical presentation of statistical facts.

Here before me are the following volumes of defense material in Case VI before the Military Tribunal Court No. VI in Nuernberg:

Basic information of defense volume II  
Dr. von Knierien Volume V

The illustrations contained in these two volumes were prepared by me, or according to my instructions, as the case may be. They represent the pertinent statistical facts that they are to show, correctly and in accordance with established professional principles. In particular, the following listed illustrations refer to the following listed documents:

- 1) Basic information of defense Volume II.  
Illustration Document No. 5 P. 9, corresponds to Doc. No. 4, Pages 6 to 8.  
  
Illustration Doc. No. 7, Pg. 18, corresponds to Doc. 6, Pages 10-17.  
  
Illustration Doc. No. 10, Pg. 31 corresponds to Doc. 9, Pages 21-30.  
  
Illustrations Doc. No. 16, Pg. 40, corresponds to Doc. 12-15, Pages 32 to 39.  
  
Illustrations Doc. No. 18, Pg. 45, corresponds to Doc. 17, Pages 41-44b.  
  
Illustration Doc. No. 20, Page 48, corresponds to Doc. 19 Pages 46-47.
- 2) Dr. von Knierien Volume 5  
Document No. 37, Page 313 is based on the following documents:  
Dr. von Knierien Doc. No. 36, Vol. V, Page 311,  
Basic Information Defense Doc. No. 6, Vol. II, Page 10 ff.  
Basic Information Defense No. 17, Vol. II, Page 41 ff.

Nuernberg, 5 May 1948

Georg Belz

Georg





BASIC INFORMATION DEFENSE  
DOCUMENT No. 27  
-----

The above signature of Herr Georg Belz, Leverkusen, acknowledged  
and executed before me, Attorney Friedrich Silcher, is  
herewith certified and attested by me.

Munich, 5 May 1948

Friedrich Silcher  
Attorney

CERTIFICATE OF TRANSLATION  
-----

I, Joseph E. Goesser, AGO No. B 397993, hereby certify that I  
am a truly appointed translator for the German and English  
languages and that the above is a true and correct  
translation of Basic Information Defense, Document No. 27

Joseph E. Goesser  
AGO No. B 397993



NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 98

Target 2

Defense Basic Information on I. G. Farben

(German)

5

NATIONAL ARCHIVES MICROFILM PUBLICATIONS



BASIC INFORMATION, DEFENSE  
VOL. I

The original German version of Volume I of "BASIC INFORMATION on  
I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT by defense," a softcover  
booklet describing the firm and its activities, is filmed as part  
of the English translation and accordingly had not been filmed here.



BASIC INFORMATION, DEFENSE  
VOL. II

Defense  
Case 6

MILITARY TRIBUNAL NO VI  
CASE NO VI

GRUNDLEGENDES MATERIAL

der Verteidigung

ueber die

I.G. FARBENINDUSTRIE

AKTIENGESELLSCHAFT

Band II

BASIC INFORMATION

on

I.G. FARBENINDUSTRIE

AKTIENGESELLSCHAFT

by defense

Vol. II

Ueberreicht von

RA Friedrich SILCHER

in Auftrage der Verteidigung

Submitted by

RA Friedrich SILCHER

on behalf of the defense

Nuernberg, Germany  
April 2nd, 1948



Gerin



# BASIC INFORMATION DEFENSE Band II

Dok. Exh. Nr. Nr.	Inhalt	Seite
2	Affidavit Herrmann WALTER, Wiesbaden, v. 22.2.48 mit Bilanzuebersicht fuer die Jahre 1939-1944 (Fortsetzung der Bilanzuebersicht 1925-1938 auf S. 70-71 der "SILBERBROSCHUE" Basic Information Band I Dok. Nr. 1)	1 - 4
3	Entwicklung des Aktienkapitals der I.G. 1925 - 1945.	5
4	Affidavit Hermann WALTER, Wiesbaden, v. 25.3.48 mit Aufstellung ueber die Aufgliederung der Gesamtumsaetze (Verwendung des Gesamtertrages - Distribution of total Proceeds) 1926 - 1944. Im Affidavit weitere Aufgliederung der "Politischen Spenden".	6 - 8
5	Schaubild zu Dokument Nr. 4.	9
6	Affidavit Herrmann WALTER, Wiesbaden, vom 22.2.48 mit Aufstellung ueber die Gesamtumsaetze der IG 1926 - 1944, aufgeteilt nach Inland und Ausland mit Nebenaufstellungen fuer verschiedene Exportgruppen.	10-17
7	Schaubild zu Dokument Nr. 6.	18
8	Affidavit Hermann WALTER, Wiesbaden, vom 25.3.48 ueber den Auslandsanteil des Umsatzes an Stickstoffdungemitteln. Ergaenzung zu Dokument Nr. 6 und 7.	19-20
9	Affidavit Hermann WALTER, Wiesbaden, v. 22.2.48 mit Aufstellungen ueber die Auslandsumsaetze der IG 1926, 1929, 1932, 1938, aufgeteilt nach Laendern und Exportgruppen.	21-30
10	Schaubild zu Dokument Nr. 9: Weltkarte mit Umsatzsaehlen und den Orten mit Vertretungen der IG.	31
11	Dokument ter Meer Nr. 61 Exh. 47 Band III Seite 20: Schaubild: IG Gesamtumsaetze.	0--
12	Aufstellung: Anteil der IG an der gesamten deutschen Industrie und der deutschen chemischen Industrie fuer die Jahre 1926, 1929, 1932 und 1938 hinsichtlich investiertes Kapital mit Affidavit Dr. Erich PIWOWARCZYK, Hamburg-Berzedorf, v. 17.3.48	32-33

BASIC INFORMATION DEFENSE Band II

Dok. Nr.	Exh. Nr.	Inhalt	Seite
		/deutschen Industrie und der/	
13		Aufstellung: Anteil der IG an der gesamten/deutschen chemischen Industrie fuer die Jahre 1926, 1929, 1932 und 1938 hinsicht- lich Gesamtumsatz mit Affidavit Dr. Erich PIWOWAR- CZYK, Hamburg-Bergedorf, v. 17. 3.1948.	34-35
14		Aufstellung: "Exportumsatz". Anteil der IG am deutschen Gesamt- export, chemischen Weltexport und deutschen chemischen Export fuer die Jahre 1926, 1929, 1932 und 1938 mit Affidavit Dr. Erich PIWOWARCZYK, Hamburg-Bergedorf, v. 17.3.48.	36-37
15		Aufstellung: Anteil der IG an der gesamten deutschen Indu- strie und der deutschen chemi- schen Industrie fuer die Jahre 1926, 1929, 1932 und 1938 hin- sichtlich Anzahl der Beschaeftigten mit Affidavit Dr. Erich PIWO- WARCZYK, Hamburg-Bergedorf, v. 17.3.48.	38-39
16		Schaubilder zu Dokument Nr. 12- 15.	40
17		Affidavit Dr. Erich PIWOWARCZYK, Hamburg-Bergedorf, v.17.3.48 mit vergleichenden Aufstellungen ueber die Firmen: 1/ E.J.Dupont De Nemours & Co. 2/ Standard Oil Co. (New Jersey), 3/ General Motors Corporation, 4/ United States Steel Corpora- tion, 5/ Imperial Chemical Industries, Ltd. (I.C.I.), 6/ I.G.Farbenindustrie Aktien- gesellschaft, u.a. hinsichtlich: Arbeitendes Kapital (working capital) Gesamtumsatz (total turnover) Exportumsatz (export turnover) Soziale Leistungen (social con- tribution) Belegschaft (staff) fuer die Jahre 1926 - 1944.	41-44
18		Schaubilder zu Dokument Nr. 17.	45



## BASIC INFORMATION DEFENSE Band II

Dok. Nr.	Exh. Nr.	Inhalt	Seite
19		Aufstellung: Entwicklung des Nationaleinkommens in USA und Deutschland 1929 - 1941 mit Affidavit Dr. Erich PIKOWARCZYK, Hamburg-Bergedorf, vom 17.3.48.	46-47
20		Schaubild zu Dokument Nr. 19.	48
21		Dok. Schneider Nr. 267 Exh. 37 Band IX Seite 17: Affidavit Dr. Albrecht WEISS, Heidelberg, ueber die sozialpolitische Leistung der I.G.	--
22		Dokument Dr. von KNIERIEM Nr. 7 Exh. 7 Buch I Seite 62 und 65: Gesamtaufstellung ueber Patentanmeldungen und Patente der IG nach Laendern und Sparten 1938 und Entwicklung der Patentanmeldetaetigkeit der IG 1929-1941.	--
23		Dokument Dr. v. Knieriem Nr. 8 Exh. 8 Band I Seite 66-68: Affidavit Elisabeth REINDEL, Ludwigshafen, mit Uebersicht ueber die Patentanmeldungen der IG 1925 - 1941 unter besonderer Auffuehrung der wichtigsten Industrielaender.	--
25		<i>Model of a house</i>	
26		<i>list of I.G. Products in housing and building</i>	

Eidesstattliche Erklärung

Ich bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe, und dass meine nachfolgende eidesstattliche Versicherung als Beweismaterial dem Militärgerichtshof, Case VI, in Nuernberg vorgelegt werden soll.

Dies vorausgeschickt erkläre ich folgendes an Eidesstatt:

Die Einzelzahlen der anhaengenden Aufstellung  
Nr. 4 bezeichnet

"I. G. Farbenindustrie Aktiengesellschaft,  
Bilanzuebersicht fuer die Jahre 1939 - 1944"

sind entnommen aus den Geschaefthuechern und Unterlagen der Zentralbuchhaltung der I.G. Farbenindustrie Aktiengesellschaft, Frankfurt/M. und entsprechen vollstaendig und wahrheitsgemuess diesen Unterlagen.

Wiesbaden-Biebrich, den 22. Februar 1948

Hermann Walter



Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Hermann W a l t e r , Wiesbaden - Biebrich, ist vor mir Rechtsanwalt Friedrich Silcher , am 25. März 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 25. März 1948

Friedrich Silcher  
Rechtsanwalt

Die wortgetreue und richtige Abschrift des obigen Schriftstuecks wird hiermit beglaubigt.

Friedrich Silcher  
Rechtsanwalt

I.G. FARBENINDUSTRIE AG TRIENINGSGESAMTSCHAFTAufstellung Nr. 4Bilanz - Übersicht fuer die Jahre 1939-44

(in Tausend Reichsmark)

Aktiva:	1939	1940	1941	1942	1943	1944
Werksanlagen .....	624 800	606 454	613 677	624 356	624 915	628 740
Beteiligungen .....	341 233	399 906	691 342	719 778	726 825	748 047
Wertpapiere .....	12 176	12 253	9 730	10 029	10 061	10 040
Eigene Aktien .....	-	-	-	-	-	-
Vorräte .....	185 952	104 491	225 616	356 895	364 832	368 291
Forderungen .....	571 067	537 399	615 548	765 358	918 125	1 075 647
Kasse Wechsel Schecks .....	15 883	15 717	16 481	12 782	20 159	77 366
Schatzanweisungen .....	58 016	62 322	4 828	20 305	34 792	4 792
Bankguthaben .....	44 956	90 820	155 579	102 658	102 447	121 385
Aufgeld auf Teilschuldverschreib.	14 302	14 302	-	-	-	-
	1 868 385	1 923 664	2 332 801	2 632 161	2 822 156	3 054 308



Basic information defense  
Doc. Nr. e 2

<u>Passiva:</u>						
Div. Berecht. Stamm-Kapital .....	691 000	733 200	1 109 062	1 360 000	1 360 000	1 360 000
Einbez. Stammaktien-Kapital .....	691 000	723 200	1 125 000	1 360 000	1 360 000	1 360 000
"    Vorzugsaktien " .....	40 000	40 000	40 000	40 000	40 000	40 000
Ruecklagen .....	230 928	241 105	319 353	344 182	344 182	344 182
Rueckstellungen .....	77 000	90 000	93 000	96 000	100 000	136 973
Teilschuldverschreib. 1928 u. 39	286 151	286 311	106 303	105 977	105 976	105 976
Aufgeld auf Teilschuldverschreib.	20 615	20 631	2 630	2 598	2 598	2 598
Gekauende Obligat.-Anleihe .....	213	213	213	212	212	212
Wohlfahrtsfonds .....	58 650	63 650	-	-	-	-
Stiftungen .....	4 543	4 715	4 696	4 674	4 784	4 874
Zinsen auf Teilschuldverschreib.	13 044	13 054	2 253	2 234	2 234	2 234
Verbindlichkeiten .....	332 526	346 712	537 433	570 098	761 436	955 361
Bankschulden .....	57 644	35 317	30 840	24 486	19 034	16 890
Verguetung auf Grund Ges. Eigentum USA	-	-	-	-	-	-
Rein-Gewinn .....	56 071	58 756	71 080	81 700	81 700	85 008
	1 868 385	1 923 664	2 332 801	2 632 161	2 822 156	3 054 308

Hermann Walter

Die nebenstehende Unterschrift des Herrn Hermann Walter, wird durch mich, Rechtsanwalt Friedrich Silcher, hiermit beglaubigt und bezeugt.

Nuernberg, den 24. Maerz 1948

Friedrich Silcher  
Rechtsanwalt



## DEVELOPMENT OF SHARE CAPITAL

( see "SILBERBROSCHURE" - BASIC INFORMATION defense doc. Nr. 1 vol. I p. 61 - statistics - capital changes )

sums in RM

BASIC INFORMATION DEFENSE

Doc. Nr. 3

	common shares	preferred shares A	preferred shares B	t o t a l	conditional capital	authorized capital
1925 At the date of merger .....	641 000 000	---	4 400 000	646 000 000		
1926 1. 9. Increase of capital by resolution of shareholders meeting .....	+ 258 400 000	+ 160 000 000	+ 35 600 000			
	900 000 000	160 000 000	40 000 000	1 100 000 000		
1928 14. 9. Increase and decrease of capital by resolution of shareholders meeting .....	+ 60 000 000	./- 60 000 000	---			
	960 000 000	100 000 000	40 000 000	1 100 000 000		
1932 10. 5. Decrease of capital by resolution of shareholders meeting .....	./- 110 000 000	---	---			
	850 000 000	100 000 000	40 000 000	990 000 000		
1934 28. 4. Decrease and conditional increase of capital by resolution of shareholders meeting .....	./- 150 000 000	./- 60 000 000	---		+ 176 868 600	---
	700 000 000	40 000 000	40 000 000	800 000 000	176 868 600	---
1938 Cancellation of shares by resolution of the board and, 18.6.38, creation of authorized by capital by resolution of shareholders meeting .....	./- 40 000 000	./- 40 000 000	---		---	+ 80 000 000
	660 000 000	---	40 000 000	720 000 000	176 868 600	80 000 000
1939 27. 9. Issue of authorized capital by resolution of the board .....	+ 11 000 000	---	---			./- 11 000 000
	691 000 000	---	40 000 000	731 000 000		69 000 000
1940 21. 8. Issue of authorized capital by resolution of the board .....	+ 32 200 000	---	---			./- 32 200 000
	723 200 000	---	40 000 000	763 200 000		36 800 000
1940 12.12. Issue of authorized capital by resolution of the board .....	+ 10 000 000	---	---			./- 10 000 000
	733 200 000	---	40 000 000	773 200 000		26 800 000
1941 10. 7. Issue of authorized capital by resolution of the board .....	+ 26 800 000	---	---			./- 26 800 000
	760 000 000	---	40 000 000	800 000 000		---
1941 8. 8. Creation of new authorized capital by resolution of shareholders meeting .....	---	---	---			100 000 000
1942 9. 1. Issue of authorized capital by resolution of the board .....	+ 48 500 000	---	---			./- 48 500 000
	808 500 000	---	40 000 000	848 500 000		51 500 000
1942 31.12. Issue of conditional capital by change of convertible bonds of 1928 .....	+ 91 500 000	---	---		./- 91 500 000	
	900 000 000	---	40 000 000	940 000 000	85 368 600	
1942 31.12. Expiration of conditional capital by lapse of time for change of convertible bonds .....	---	---	---		./- 30 150 900	
	---	---	---		55 217 700	
1942 29. 5. Adjustment of capital by resolution of the board .....	+ 225 000 000	---	---		+ 13 804 400	
	1 125 000 000	---	40 000 000	1 165 000 000	69 022 100	
1942 11. 7. Increase of capital by resolution of shareholders meeting .....	+ 255 000 000	---	---		---	---
(subscription right for shareholders 5 : 1 at par value)						
	1 380 000 000	---	40 000 000	1 400 000 000	69 022 100	51 500 000



Eidesstattliche Erklärung

Ich bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe, und dass meine nachfolgende eidesstattliche Versicherung als Beweismaterial dem Militärgerichtshof, Case VI, in Nuernberg vorgelegt werden soll. Dies vorausgeschickt erkläre ich folgendes an Eidesstatt:

Die Einzelzahlen der anhangenden Aufstellung Nr. 1 bezeichnet

"I.G. Farbenindustrie Aktiengesellschaft,  
Aufgliederung der Gesamtumsätze 1926-1944"

sind entnommen aus den Geschäftsbüchern und Unterlagen der Zentralbuchhaltung der I.G. Farbenindustrie Aktiengesellschaft Frankfurt/M. und entsprechen vollständig und wahrheitsgemäss diesen Unterlagen.

Die in der Fussnote aufgeführten "Politische Spenden ab 1933" umfassen auch die Beiträge zum Winterhilfswerk und zur Adolf-Hitler-Spende der Deutschen Wirtschaft.

Der Anteil der Beiträge zum Winterhilfswerk und Adolf-Hitler-Spende fuer die Jahre 1933 - 1940 ist aus folgender Aufstellung ersichtlich:

Jahr	Politische Spenden		Devon	
	Gesamt		W.H.W.	Hitler-Spende
	Betrag (in Tausend RM)	% v. Umsatz		
1933	3.770	0,42	1.264	700
1934	2.340	0,24	932	435
1935	2.430	0,22	984	650
1936	2.300	0,17	1.107	735
1937	2.630	0,13	1.344	828
1938	2.940	0,18	1.388	794
1939	2.720	0,13	1.250	992
1940	3.140	0,14	1.731	1.186
1941	2.400	0,10	2.054	
1942	3.400	0,12	2.905	
1943	4.670	0,15	3.968	
1944	3.440	0,13	3.271	

Fuer die Jahre 1941 ff. war der Anteil der W.H.W.-Beiträge und Adolf-Hitler-Spende bei der Zentralbuchhaltung nicht mehr einzeln erfasst, sondern nur in einer Gesamtsumme fuer beide Spenden.

Nuernberg, den 25. Maerz 1948

Hermann Walter

Basic information defense  
Doc. Nr. 4

Die umstehende, von mir anerkannte eigenhaendige Unterschrift des Herrn Hermann Walter, Wiesbaden-Biebrich, ist vor mir, Rechtsanwalt Friedrich Silcher, geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 25. Maerz 1948

Friedrich Silcher  
Rechtsanwalt

Die wortgetreue und richtige Abschrift des obigen Schriftstueckes wird hiernit beglaubigt.

Friedrich Silcher  
Rechtsanwalt



Basic information defense  
Doc. Nr. 4  
Sheet Nr.1

x) For lack of records the figures are estimated.

Hermann W a l t e r

Friedrich Silcher  
Solciter

Friedrich Silber  
Solicitor







**J.G.**

# DISTRIBUTION OF TOTAL PROCEEDS 1926-1944

## VERWENDUNG DES GESAMT-ERTRAGES 1926-1944

### POLITICAL CONTRIBUTION

Incl. Winterhilfswerk

Politische Spenden

RM in Thousands

1933-3.770-0,42% of Total proceeds

1934-2.340-0,24%

1935-2.430-0,22%

1936-2.300-0,17%

1937-2.630-0,18%

1938-2.940-0,18%

1939-2.720-0,13%

1940-3.140-0,14%

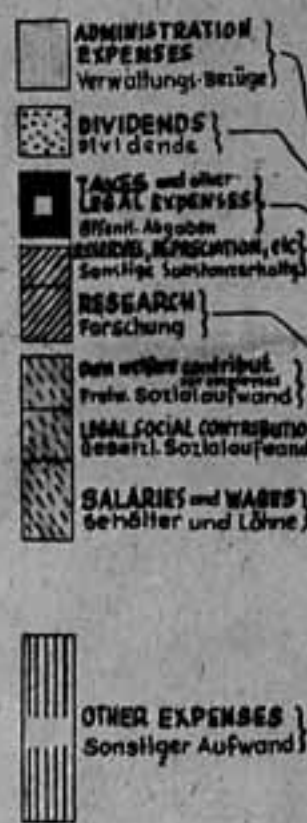
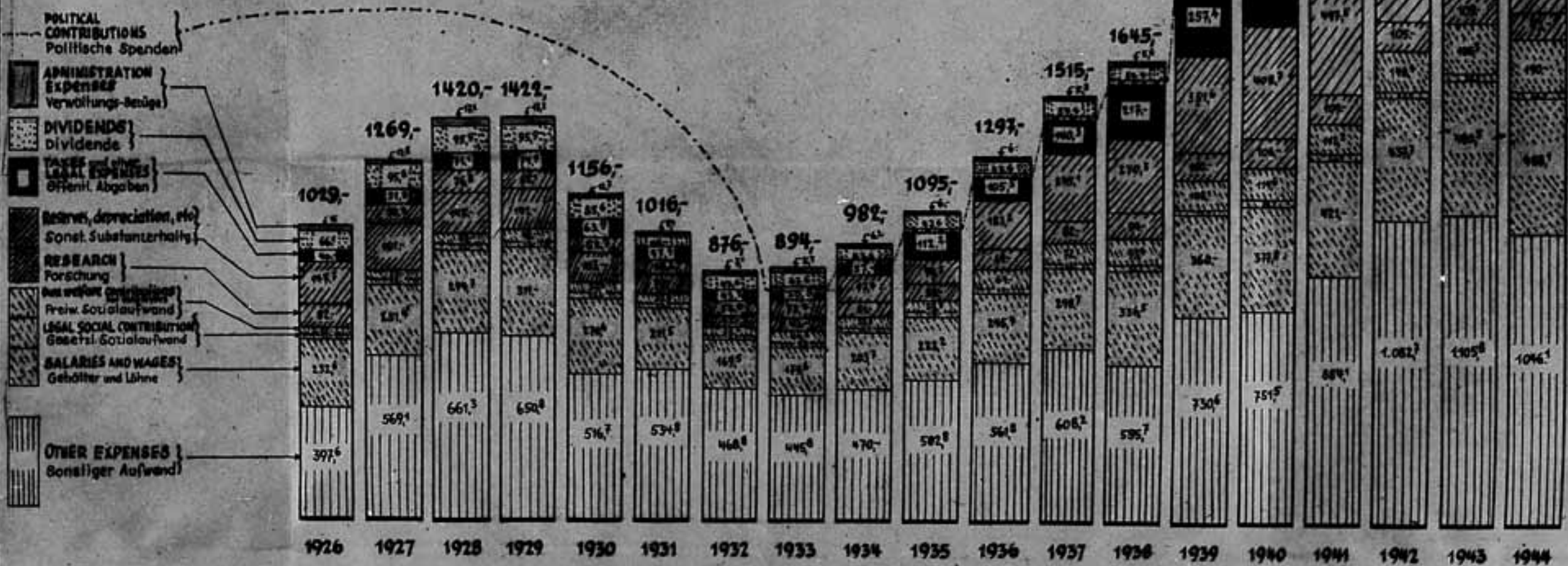
1941-2.400-0,10%

1942-3.400-0,12%

1943-4.670-0,15%

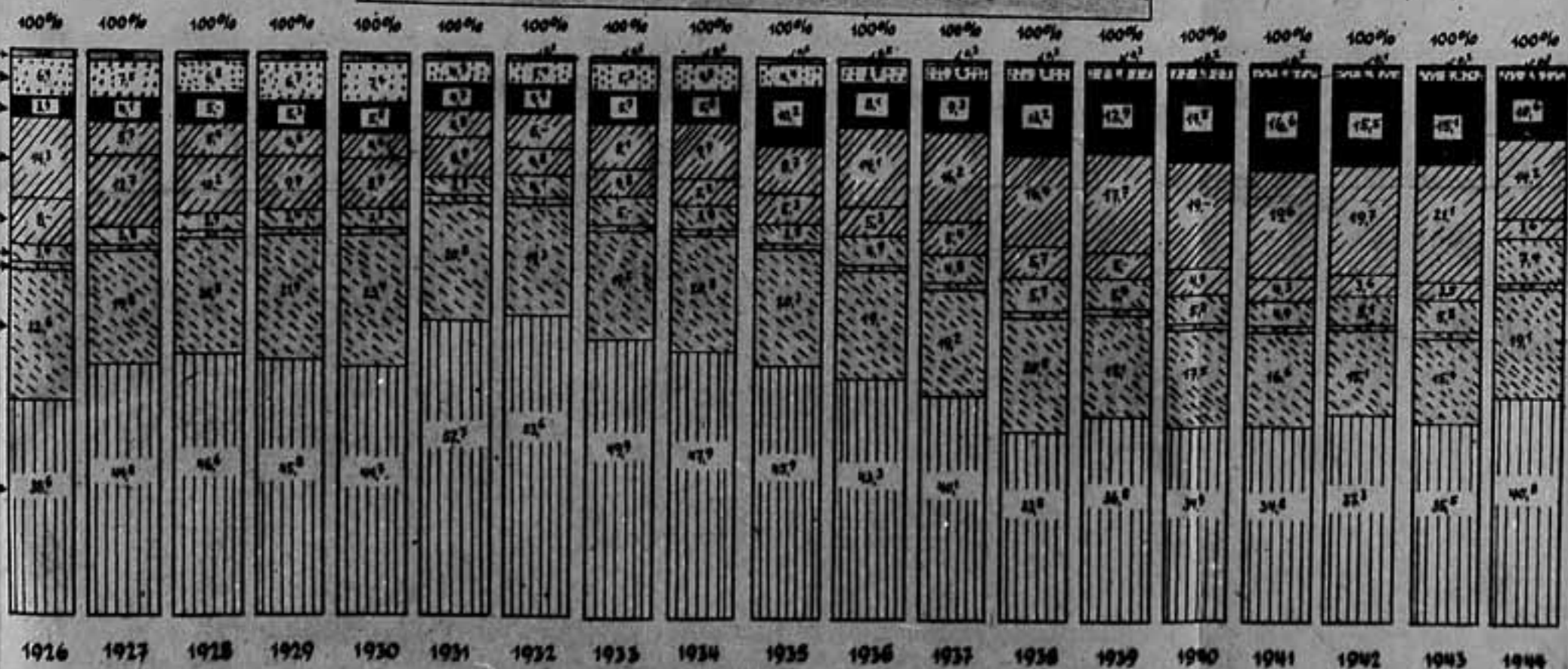
1944-3.440-0,13%

IN MILLIONS RM.  
in Millionen R.M.



### DISTRIBUTION IN %

#### Prozent VERTEILUNG





Eidesstattliche Erklärung

Ich bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe, und dass meine nachfolgende eidesstattliche Versicherung als Beweismaterial dem Militärgerichtshof, Case VI, in Nuernberg vorgelegt werden soll.

Dies vorausgeschickt erkläre ich folgendes an

Eidesstatt:

Die Einzelzahlen der anhaengenden Aufstellung Nr. 3

bezeichnet

"I.G. Farbenindustrie Aktiengesellschaft, Gesamtumsätze nach Inland und Ausland mit entsprechenden Nebenaufstellungen

- 3a) Farben und Hilfsprodukte
- 3b) Chemikalien
- 3c) Pharma und Pflanzenschutz
- 3d) Photographische Produkte

sind entnommen aus den Geschäftsbüchern und Unterlagen der Zentralbuchhaltung der I.G. Farbenindustrie Aktiengesellschaft, Frankfurt/M. und entsprechen vollständig und wahrheitsgemäss diesen Unterlagen.

Wiesbaden-Biebrich, den 22. Februar 1948

Herrmann Walter



Basic information defense  
Doc. Nr. 6

Die vorstehende, von mir anerkannte eigenhaendige Unterschrift des Herrn Hermann W a l t e r , Wiesbaden-Biebrich, ist vor mir, Rechtsanwalt Friedrich Silcher, am 25. Maerz 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 25. Maerz 1948

Friedrich Silcher  
Rechtsanwalt

Die wortgetreue und richtige Abschrift des obigen Schriftstueckes wird hiermit beglaubigt.

Friedrich Silcher  
Rechtsanwalt

Aufstellung Nr. 3

Gesamt - Umsatze

der

I.G. Farbenindustrie Aktiengesellschaft

(in Millionen Reichsmark und Prozenten vom Gesamtumsatz)

	<u>Inland</u>		<u>Ausland</u>		<u>Zusammen</u>
	RM	%	RM	%	RM
1926	612,7	59,5	416,5	40,5	1 029,2
1927	770,7	60,5	498,7	39,5	1 269,4
1928	847,6	59,6	572,5	40,4	1 420,1
1929	832,7	58,4	589,9 <sup>x)</sup>	41,6	1 422,6
1930	682,9	59,0	473,2	41,0	1 156,1
1931	542,6	53,4	473,4	46,6	1 016,0
1932	466,9	53,3	408,9	46,7	875,8
1933	485,6	54,0	408,7	46,0	894,3
1934	596,2	60,0	386,2	40,0	982,4
1935	685,9	62,7	406,8	37,3	1 092,7
1936	893,4	68,8	403,5	31,2	1 296,9
1937	1 067,5	70,5	447,1	29,5	1 514,6
1938	1 223,3	74,5	421,5	25,5	1 645,4
1939	1 536,8	77,0	451,0	23,0	1 987,8
1940	1 787,4	83,0	372,4	17,0	2 159,8
1941	2 099,2	83,0	440,8	17,0	2 540,0
1942	2 398,6	82,5	505,7	17,5	2 904,3
1943	2 501,0	80,3	614,6	19,7	3 115,6
1944	2 135,9	83,0	429,3	17,0	2 565,2

x) Bemerkung bezgl. Auslandsumsatz 1929:

In den Büchern der Zentralbuchhaltung wurde der obige Betrag für 1929 verbucht, der jedoch Umsätze enthaelt, die in den späteren Jahren nicht mehr als Auslands-Umsätze der I.G. betrachtet wurden. Aus diesem Grunde wurden diese Beträge in den Einzelnachweisungen für 1929 ausgeschieden, um die Vergleichbarkeit mit anderen Jahren nicht zu zerstören. Die Folge davon ist, dass diese Zahlen von denen der Zentralbuchhaltung in 1929 abweichen.

Gezeichnet als Anlage 3 zu meiner eidesstattlichen  
Erklärung vom 22. Februar 1948.

Nürnberg, den 25. März 1948.



Aufstellung Nr. 3 a

a) Farben und Hilfsprodukte

(in Millionen Reichsmark und Prozenten vom Gesamtumsatz)

	<u>Inland</u>		<u>Ausland</u>		<u>Zusammen</u>
	RM	%	RM	%	RM
1926	77,7	23,0	268,0	77,0	345,7
1927	112,0	27,6	293,2	72,4	405,2
1928	101,3	23,0	334,2	77,0	435,5
1929	106,0	25,0	300,3	75,0	406,3
1930	96,5	25,8	269,8	74,2	366,3
1931	91,4	25,7	263,0	74,3	354,4
1932	83,0	26,0	234,4	74,0	317,4
1933	98,8	30,0	230,2	70,0	329,0
1934	113,6	33,3	225,9	66,6	339,5
1935	108,2	31,6	232,4	68,4	340,6
1936	130,2	37,4	219,2	62,6	349,4
1937	142,5	37,0	243,0	63,0	385,5
1938	155,1	42,6	209,0	57,4	364,1
1939	189,3	45,0	208,9	55,0	398,2
1940	191,4	54,0	162,8	46,0	354,2
1941	212,8	60,0	142,5	40,0	355,3
1942	197,4	58,0	142,9	42,0	340,3
1943	171,0	52,0	157,0	48,0	328,0
1944	123,6	49,5	125,6	50,5	249,2

Gezeichnet als Anlage 3a zu meiner eides-  
stattlichen Erklärung vom 22. Februar 1948. W

München, den 25. März 1948.

Aufstellung Nr. 3 b.

b) C H E M I R A L I E N

(in Millionen Reichsmark und Prozenten vom Gesamtumsatz)

	<u>Inland</u>		<u>Ausland</u>		<u>Zusammen</u>
	RM	%	RM	%	RM
1926	90,3	62,7	53,7	37,3	144,0
1927	129,5	63,7	74,2	36,3	203,7
1928	149,2	63,0	83,9	36,0	233,1
1929	156,1	59,4	106,6	40,6	262,7
1930	134,8	61,0	87,8	39,0	222,6
1931	107,0	57,6	78,9	42,4	185,9
1932	85,8	57,6	63,1	42,4	148,9
1933	100,7	59,5	68,4	40,5	169,1
1934	145,5	71,5	58,1	28,5	203,6
1935	202,3	75,3	66,5	24,7	268,8
1936	261,2	78,8	70,1	21,2	331,3
1937	342,0	81,9	75,7	18,1	417,7
1938	406,8	84,6	74,2	15,4	481,0
1939	580,9	88,0	79,2	12,0	660,1
1940	740,6	90,6	77,1	9,4	817,7
1941	928,7	87,5	132,4	12,5	1 061,1
1942	1 081,0	85,0	189,4	15,0	1 270,4
1943	1 238,8	86,8	188,7	13,2	1 427,5
1944	1 145,8	89,6	133,2	10,4	1 279,0

Gezeichnet als Anlage 3b zu meiner eides-  
stattlichen Erklärung vom 22. Februar 1948. W

Nürnberg, den 25. März 1948



Aufstellung Nr. 3 c

c) Pharmaz. und Pflanzenschutz

(in Millionen Reichsmark und Prozenten vom Gesamtumsatz)

	<u>Inland</u>		<u>Ausland</u>		<u>Zusammen</u>
	RM	%	RM	%	RM
1926	18,9	21,3	69,6	78,7	88,5
1927	20,7	31,7	44,4	68,3	65,1
1928	24,0	32,0	51,0	68,0	75,0
1929	27,0	34,3	51,9	65,7	78,9
1930	28,7	33,6	51,8	66,4	78,5
1931	25,8	26,7	70,4	73,3	96,2
1932	23,9	28,0	61,8	72,0	85,7
1933	26,3	29,0	62,5	71,0	88,8
1934	27,5	31,4	60,4	68,6	87,9
1935	30,0	30,7	66,5	69,3	96,5
1936	31,9	31,0	71,1	69,0	103,0
1937	35,8	30,0	83,9	70,0	119,7
1938	44,0	32,6	90,3	67,4	134,3
1939	61,8	40,7	90,2	59,3	152,0
1940	79,9	51,0	75,5	49,0	155,4
1941	99,1	53,7	85,6	46,3	184,7
1942	122,3	57,7	89,4	42,3	211,7
1943	139,4	47,4	154,7	52,6	294,1
1944	138,6	61,0	88,4	39,0	227,0

Gezeichnet als Anlage 3c zu meiner eides-  
staatlichen Erklärung vom 22. Februar 1948. W

Nürnberg, den 25. März 1948.

Aufstellung Nr. 3 d.

d) Photographische Produkte

(in Millionen Reichsmark und Prozenten vom Gesamtumsatz)

	<u>Inland</u>		<u>Ausland</u>		<u>Zusammen</u>
	RM	%	RM	%	RM
1926	17,4	42,0	23,9	58,0	41,3
1927	26,5	42,7	35,5	57,3	62,0
1928	37,7	44,6	47,1	55,4	84,8
1929	42,6	42,5	57,5	57,5	100,1
1930	39,9	47,8	43,7	52,2	83,6
1931	35,9	44,6	44,9	55,4	80,8
1932	35,9	50,3	35,8	49,7	71,7
1933	31,3	48,4	33,3	51,6	64,6
1934	32,9	50,0	32,6	50,0	65,5
1935	40,2	53,0	36,1	47,0	76,3
1936	46,1	55,3	37,1	44,7	83,2
1937	59,1	59,4	40,2	40,6	99,3
1938	65,9	60,7	42,8	39,3	108,7
1939	97,6	71,0	39,7	29,0	137,3
1940	109,0	72,4	41,7	27,6	150,7
1941	119,9	70,4	50,7	29,6	170,6
1942	121,5	69,5	53,4	30,5	174,9
1943	120,1	60,3	79,4	39,7	199,5
1944	114,9	70,0	49,3	30,0	164,2

Unterschieden als Anlage 3 d zu meiner eidesstattlichen  
Erklärung vom 22. Februar 1948.

W

Nürnberg, den 25. März 1948.

Hermann Walter

Die obige Unterschrift sowie die Abzeichnung der Anlagen  
3, 3a, 3b, 3c, und 3d des Herrn Hermann Walter, Wiesbaden-  
Biebrich, ist vor mir, Rechtsanwalt Friedrich Silcher  
hierselbst geleistet, was hiermit beglaubigt und bezeugt  
wird.

Nürnberg, den 25. März 1948

Friedrich Silcher  
Rechtsanwalt



Dr. von Knierrern  
Dok. Nr. 6

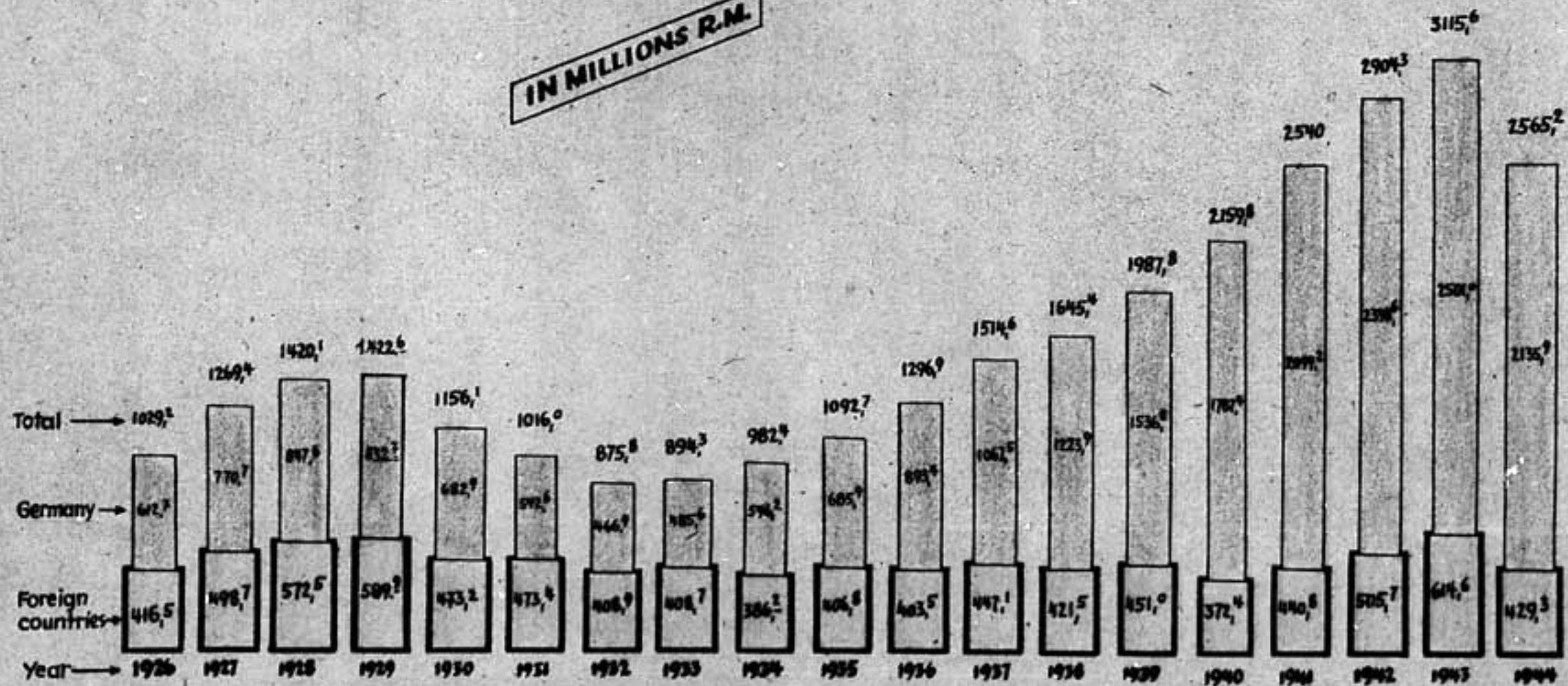
Die wortgetreue und richtige Abschrift des obigen  
Schriftstueckes wird hiermit beglaubigt und bezeugt.

Friedrich Silcher  
Rechtsanwalt

# J.G. SALES

## GERMANY: FOREIGN COUNTRIES

IN MILLIONS R.M.





Eidesstattliche Erklärung

Ich, Hermann Walter, wohnhaft Wiesbaden-Biebrich, bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe. Ich erkläre an Eidesstatt, dass meine Aussage der Wahrheit entspricht und gemacht wurde, um als Beweismaterial dem Militärgerichtshof Nr. VI im Justizpalast Nürnberg, Deutschland, vorgelegt zu werden.

Unter dem 22. Februar 1948 habe ich eine eidesstattliche Erklärung nebst anhängender Aufstellung Nr. 3 über die Gesamt-Umsätze der I.G. Farbenindustrie Aktiengesellschaft nach Inland und Ausland mit entsprechenden Nebenaufstellungen abgegeben. In den Unterlagen der Zentralbuchhaltung und damit in dieser Aufstellung, die aus diesen Unterlagen der Zentralbuchhaltung entnommen ist, sind die gesamten Umsätze in Stickstoff-Düngemittel als Inlandsumsätze behandelt, da die Lieferungen formell über die Stickstoffsyndikat G.m.b.H. Berlin verrechnet wurden. Das Stickstoffsyndikat besorgte den ganzen Inlands- wie den ganzen Auslandsabsatz der deutschen Stickstoffindustrie. Wirtschaftlich betrachtet musste daher der anteilige Auslandsabsatz des Stickstoffsyndikats als anteiliger Auslandsabsatz der I.G. gewertet werden.

Der nach der Syndikatsabrechnung auf die I.G. entfallende Auslandsabsatz in Stickstoff-Düngemittel ergibt sich aus folgender Aufstellung:

<u>Jahr</u>	<u>Betrag in RM.</u>
1926	159 051 236.-
1927	182 898 768.-
1928	241 001 403.-
1929	191 692 635.-
1930	104 713 401.-
1931	61 232 434.-
1932	64 286 859.-
1933	43 305 303.-
1934	32 016 289.-
1935	44 310 046.-
1936	46 542 667.-
1937	41 337 209.-

Ab 1938 liegen diese Zahlen nicht mehr vor, da die Syndikatsabrechnung, die immer erst längere Zeit nach Ablauf des Geschäftsjahres fertiggestellt werden konnte, in Zusammenhang mit dem 1939 ausgebrochenen Krieg für das Auslandsgeschäft nicht mehr durchgeführt werden konnte.

Bei Berücksichtigung der obigen Verschiebungen zwischen Inlands- und Auslandsumsatz der I.G. würde sich für die genannten Jahre

(Seite 2 des Originals)

die Aufstellung Nr. 3 wie folgt veraendern:

Basic information defense  
Doc. Nr. 8

<u>Jahr</u>	<u>Inland</u>		<u>Ausland</u>		<u>Zusammen</u>
	RM	%	RM	%	RM
1926	453,7	44	575,5	56	1 029,2
1927	537,7	46,3	631,7	53,7	1 269,4
1928	606,6	42,8	813,5	57,2	1 420,1
1929	641	45	781,6	55	1 422,6
1930	578,2	50	577,9	50	1 156,1
1931	481,4	47,4	534,6	52,6	1 016
1932	402,6	46	473,2	54	875,8
1933	442,3	49,4	452	50,6	894,3
1934	564,2	57,5	418,2	42,5	982,4
1935	641,6	59	451,1	41	1 092,7
1936	846,9	65,3	450	34,7	1 296,9
1937	1 026,2	67,7	488,4	32,3	1 514,6

Nuernberg, den 25. Maerz 1948

Hermann W a l t e r

Die vorstehende, von mir anerkannte eigenhaendige Unterschrift des Herrn Hermann W a l t e r, Wiesbaden, Diebrich ist vor mir, Rechtsanwalt Friedrich Silcher am 25. Maerz 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 25. Maerz 1948

Friedrich Silcher  
Rechtsanwalt

Die wortgetreue und richtige Abschrift des obigen Schriftstueckes, wird hiermit beglaubigt und bezeugt.

Friedrich Silcher  
Rechtsanwalt



Eidesstattliche Erklärung

Ich bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe, und dass meine nachfolgende eidesstattliche Versicherung als Beweismaterial dem Militärgerichtshof, Case VI, in Nuernberg vorgelegt werden soll.

Dies vorausgeschickt erkläre ich folgendes an Eidesstatt:

Die Einzelzahlen der anhangenden Aufstellung Nr. 2 bezeichnet

"I.G. Farbenindustrie Aktiengesellschaft, Auslands-umsätze nach Ländern und Sparten, Blatt 1 - 6 nebst Anhang zur Aufst. Nr. 2"

sind entnommen aus den Geschäftsbüchern und Unterlagen der Zentralbuchhaltung der I.G. Farbenindustrie Aktiengesellschaft, Frankfurt /M. und entsprechen vollständig und wahrheitsgemäss diesen Unterlagen.

Wiesbaden-Biebrich, den 22. Februar 1948

Hermann Walter

Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Hermann Walter, Wiesbaden-Biebrich, ist vor mir, Rechtsanwalt Friedrich Silcher, am 25. März 1948 hierselbst geleistet, was hiermit beglaubigt und bezeugt wird.

Nuernberg, den 25. März 1948.

Friedrich Silcher  
Rechtsanwalt

die wortgetreue und richtige Abschrift des obigen Schriftstückes wird hiermit beglaubigt und bezeugt.

Friedrich Silcher  
Rechtsanwalt

I.G. Farbenindustrie Aktien-Gesellschaft  
Export turn-over listed by countries and columns (in thousand RM)

Basic Information defense  
Doc. Nr. 9  
List No. 2, page 1.

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photog.-art. synth. perfumes	rayon staple fibre	total
Denmark	1926	1 411	398	410	352	5	2 576
	1929	1 922	1 059	1 046	1 005	294	5 324
	1932	2 214	935	650	1 022	419	5 220
	1938	2 335	1 587	1 042	1 648	4	6 616
Norway	1926	1 241	546	157	186	16	2 146
	1929	1 635	1 986	306	412	349	4 688
	1932	1 977	750	282	420	160	3 589
	1938	1 490	952	579	755	-	3 776
Sweden	1926	4 620	1 338	448	763	15	7 184
	1929	5 967	3 763	854	1 445	960	12 989
	1932	5 794	2 343	707	1 966	723	11 533
	1938	5 712	3 192	1 088	2 542	98	12 632
Finland and the Baltic countries	1926	3 434	582	505	414	-	4 935
	1929	3 390	999	1 048	760	246	6 403
	1932	3 742	970	933	479	302	6 426
	1938	4 202	1 474	1 685	811	151	8 325
Russia	1926	18 712	3 329	393	967	-	23 401
	1929	7 033	6 623	792	8 406	36	22 890
	1932	1 125	1 832	95	740	-	3 792
	1938	1 155	1 849	17	30	-	3 051



country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photogr-art. synth. perfumes	rayon staple-fibre	total
Poland	1926	5 935	1 256	880	208	-	8 279
	1929	8 917	1 830	1 560	750	519	13 576
	1932	4 802	1 660	1 578	403	384	8 627
	1938	4 826	1 402	1 669	980	57	8 934
Czechoslovakia	1926	15 532	772	1 122	666	75	18 117
	1929	20 613	2 550	1 870	1 482	1 968	28 483
	1932	14 967	1 734	7 863	1 601	1 320	27 485
	1938	11 471	2 200	1 726	1 250	375	17 022
Austria	1926	4 626	1 118	1 089	942	49	7 824
	1929	6 857	3 190	1 943	1 721	613	14 324
	1932	5 317	1 558	5 413	1 981	475	14 744
	1938	6 908	3 595	2 779	4 167	1 684	19 133
Hungary	1926	2 801	649	859	474	-	4 783
	1929	4 132	974	1 635	850	695	8 286
	1932	4 580	1 182	1 111	536	1 078	8 487
	1938	10 024	3 061	1 756	1 463	350	16 654
Roumania	1926	3 030	358	1 114	270	170	4 942
	1929	4 186	702	2 054	820	1 281	9 043
	1932	5 360	734	1 685	380	498	8 657
	1938	10 205	1 735	4 206	1 643	323	18 112
Bulgaria	1926	1 373	56	224	24	1	1 678
	1929	1 084	107	590	95	-	1 876
	1932	1 942	237	546	93	-	2 818
	1938	2 409	304	999	250	11	3 953

## Basic information defense

Doc. Nr. 9

- 3 -

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photo. act. synth. perfumes	rayon staple fibre	total
Yugo-Slavia	1926	1 924	361	516	175	-	2 976
	1929	2 903	1 256	1 506	354	534	6 553
	1932	2 598	722	1 184	328	378	5 210
	1938	4 166	1 447	1 909	820	154	8 496
Switzerland	1926	5 095	4 503	542	704	5	10 847
	1929	8 338	10 033	1 229	1 465	430	21 695
	1932	5 509	4 870	958	1 804	496	13 637
	1938	6 173	3 371	1 194	1 262	329	12 329
Italy	1926	15 268	2 228	2 387	2 131	-	22 014
	1929	17 059	6 001	4 367	3 396	22	30 845
	1932	11 713	4 042	5 146	2 736	97	23 734
	1938	6 969	4 741	6 555	2 894	14	21 173
Spain	1926	7 237	960	2 872	699	58	11 834
	1929	4 000	2 066	5 131	2 519	2 170	15 886
	1932	5 354	1 655	3 989	1 361	562	12 921
	1938	2 600	1 044	6 004	565	42	11 055
Portugal	1926	1 593	145	279	33	43	2 093
	1929	1 685	224	588	249	233	2 979
	1932	2 043	279	556	141	63	3 082
	1938	2 229	303	1 019	207	-	3 758
France	1926	2 857	1 521	120	847	-	5 345
	1929	7 520	7 578	1 107	3 645	309	20 159
	1932	6 422	3 541	1 185	6 226	153	17 527
	1938	4 700	3 209	823	2 571	-	11 303

+



Basic information defense  
Doc. Nr. 9

- 4 -

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photogr.art. synth.-perfumes	rayon staple fibre	total
Belgium and Luxemburg	1926	6 620	2 000	674	153	6	9 453
	1929	9 029	2 931	1 458	1 267	223	14 908
	1932	6 243	2 632	1 534	1 079	68	11 556
	1938	5 275	1 805	2 228	991	11	10 310
Holland	1926	7 030	4 185	1 202	478	-	12 895
	1929	10 761	6 017	1 641	1 619	30	20 068
	1932	7 302	4 248	2 057	1 953	82	15 622
	1938	6 902	3 766	1 826	1 367	36	14 097
Greece and Albania	1926	694	206	153	92	-	1 145
	1929	1 042	246	640	176	-	2 104
	1932	723	253	611	112	-	1 699
	1938	849	516	1 516	229	-	3 110
England and Ireland	1926	9 684	4 199	606	953	5	15 447
	1929	16 358	6 559	29	3 701	196	26 843
	1932	16 415	3 965	214	1 518	9	22 121
	1938	13 984	6 629	1 043	3 871	2	25 529
Egypt	1926	1 779	220	404	131	-	2 534
	1929	1 298	329	869	175	47	2 718
	1932	973	279	1 070	163	2	2 487
	1938	1 136	194	1 621	245	1	3 197
other African territory	1926	157	328	205	104	-	794
	1929	203	229	541	480	1/2 8	1 526
	1932	412	288	843	517	1	2 061
	1938	389	783	1 910	901	-	3 983

- 25 -

- 5 -

Basic information defense  
Loc. Nr. 9

Doc. No. 9

- 5 -

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photoact. synth. perfumes	rayon staple fibre	total
Turkey	1926	761	195	396	73	1	1 426
	1929	809	153	870	246	45	2 123
	1932	949	197	923	65	194	2 328
	1938	1 941	646	2 165	168	33	4 953
Near-East	1926	2 661	26	231	71	-	2 989
	1929	1 776	117	639	226	141	2 899
	1932	1 703	135	657	109	38	2 722
	1938	3 059	571	1 197	231	89	5 147
British India and British Settl.	1926	26 017	540	903	507	-	27 967
	1929	26 637	2 361	2 004	1 423	292	32 717
	1932	26 287	2 595	1 979	1 654	12	32 503
	1938	24 740	1 777	5 242	2 989	-	34 748
Siam and Philippines	1926	1 021	6	218	58	-	1 303
	1929	1 040	42	237	219	-	1 538
	1932	672	50	221	111	-	1 054
	1938	810	46	530	256	-	1 642
Dutch East Indies	1926	8 917	452	1 574	345	-	11 288
	1929	9 607	329	3 057	551	-	13 544
	1932	6 619	324	2 181	662	-	9 786
	1938	5 766	446	2 409	657	-	9 278
China	1926	45 414	4 001	1 205	1 109	-	51 729
	1929	49 131	4 577	2 575	1 796	1 923	60 002
	1932	26 748	3 083	2 800	1 287	998	34 916
	1938	10 144	1 778	3 582	1 473	4	24 981



Basic information defense  
Doc. Nr. 9

- 6 -

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photo-art synth. perfumes	rayon staple fibre	total
Japan	1926	31 521	3 011	4 956	2 636	16	42 140
	1929	27 030	6 136	7 738	3 174	16	44 094
	1932	19 868	4 684	5 650	1 935	1	32 138
	1938	9 586	3 476	3 419	477	-	16 958
U.S.A.	1926	9 734	9 116	11 452	5 785	71	36 158
	1929	15 896	17 487	485	9 477	1 545	44 890
	1932	10 271	5 492	2 075	905	1 267	20 010
	1938	6 674	7 746	747	740	29	15 936
Canada	1926	2 132	1 565	1 236	264	-	5 197
	1929	2 232	1 635	65	236	86	4 254
	1932	2 722	603	328	3	136	3 792
	1938	2 577	473	38	9	-	3 097
Mexico	1926	4 479	747	4 455	368	28	10 077
	1929	4 311	1 212	196	775	1 071	7 565
	1932	3 999	733	725	316	822	6 595
	1938	3 251	1 110	3 484	447	7	8 299
Central America	1926	165	47	2 095	216	-	2 523
	1929	248	216	102	310	210	1 086
	1932	316	240	434	69	59	1 118
	1938	442	202	1 453	209	3	2 309
Brazilia	1926	6 764	1 001	7 068	478	-	15 311
	1929	7 209	994	308	1 278	1 834	11 623
	1932	8 044	878	1 236	893	84	11 135
	1938	7 002	1 789	7 115	1 067	28	17 001

- 63 -

- 7 -

Basic information defense  
Doc. Nr. 9

- 7 -

country	year	dye-stuffs	chemicals	pharmaceuticals plant protection prod.	photogr. art. synth. perfumes	rayon staple fibre	total
<hr/>							
Argentina	1926	2 026	567	8 204	480	19	11 296
	1929	2 787	1 317	427	970	695	6 194
	1932	2 897	850	1 231	649	713	6 340
	1938	3 070	876	5 168	1 619	-	10 733
Chile	1926	1 181	216	2 878	155	6	4 436
	1929	1 423	641	127	452	158	2 801
	1932	1 372	237	275	218	110	2 212
	1938	1 591	419	1 751	422	61	4 244
South-America	1926	2 139	356	5 303	257	-	8 055
	1929	3 050	608	272	945	316	5 191
	1932	2 759	526	1 004	518	415	5 222
	1938	3 210	1 256	6 614	970	27	12 057
Australia and New Zealand	1926	387	695	294	34	59	1 469
	1929	1 159	1 561	14	522	305	3 561
	1932	1 529	1 714	95	155	416	3 905
	1938	1 122	1 644	288	741	1	3 796
Total exports	1926	267 970	53 757	69 629	24 602	648	416 606
	1929	300 358	106 598	51 900	59 590	19 782	538 228
	1932	254 362	65 050	61 800	37 086	12 511	408 809
	1938	209 094	74 194	90 396	44 095	3 924	421 705



Export, inland and total turn-over of the years 1926, 1929, 1932, 1938

Appendix to list no. 2

	dye-stuffs		chemicals		pharmaceuticals plant. protection prod.		photogr. art. synth. perfumes		rayon staple fibre		total	
	RM	%	RM	%	RM	%	RM	%	RM	%	RM	%
total-exports 1926	267 970	77,5	53 757	37,3	69 629	78,7	24 602	57,7	648	13,2	416 606	66,5
inland	77 700	22,5	90 300	62,7	18 900	21,3	18 000	42,3	4 300	86,8	209 200	33,5
sum	345 670	100	144 057	100	88 529	100	42 602	100	4 948	100	625 806	100
total-exports 1929	300 358	74,0	106 598	40,6	51 900	68,4	59 590	57,8	19 782	35,4	538 228	59,5
inland	106 000	26,0	156 100	59,4	24 000	31,6	43 500	42,2	36 100	64,6	365 700	40,5
sum	406 358	100	262 698	100	75 900	100	103 090	100	55 882	100	903 928	100
total-exports 1932	234 362	74,0	63 050	42,4	61 800	72,1	37 086	50,2	12 511	30,5	408 809	61,3
inland	83 000	26,0	85 800	57,6	23 900	27,9	36 700	49,8	28 400	69,5	257 000	38,7
sum	317 362	100	148 850	100	85 700	100	73 786	100	40 911	100	665 809	100
total-exports 1938	209 094	57,4	74 194	18,2	90 396	67,3	44 095	39,6	3 924	2,6	421 703	34,0
inland	155 100	42,6	406 800	81,8	44 000	32,7	67 300	60,4	147 200	97,3	820 400	66,0
sum	364 194	100	480 994	100	134 396	100	111 395	100	151 124	100	1 242 103	100

Basic information defense  
Doc. Nr. 9

Die obige Unterschrift, sowie die Abzeichnung der  
Aufstellung Nr. 2, Blatt 1 - 6 nebst Anhang des Herrn  
Hermann Walter, Wiesbaden-Diebrich, ist vor mir,  
Rechtsanwalt Friedrich Silcher hierselbst geleistet,  
was hiermit beglaubigt und bezeugt wird.

Nuernberg, den 25. März 1948

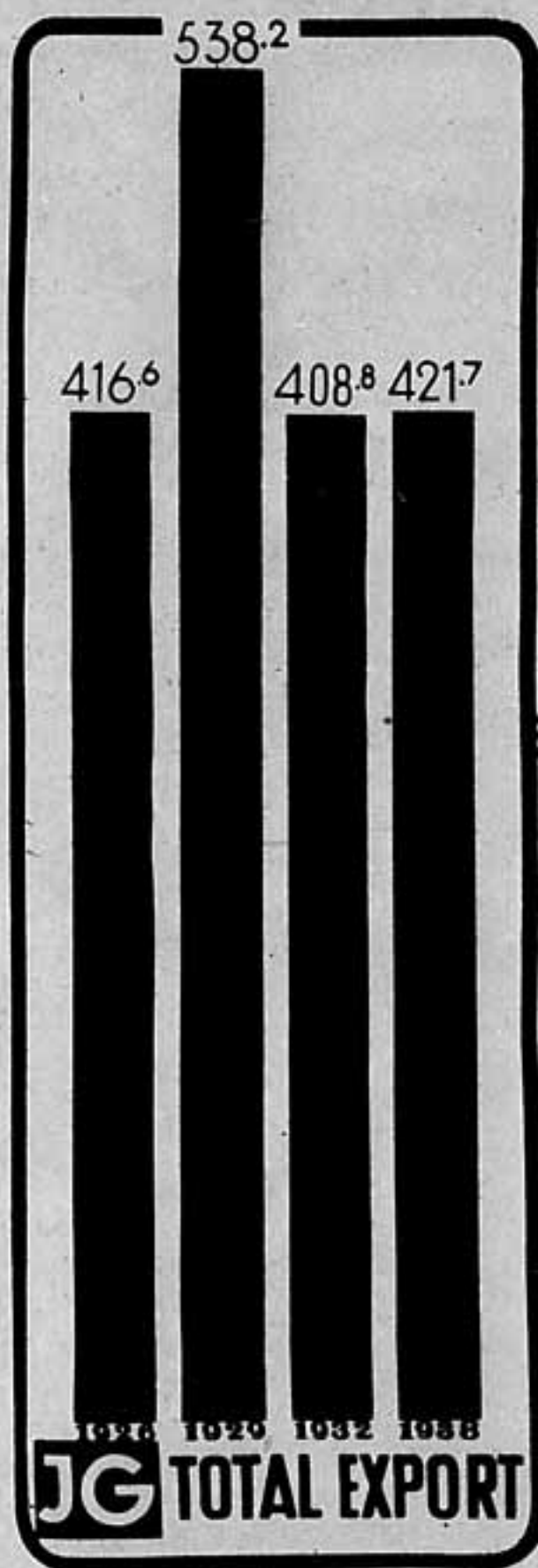
Friedrich Silcher  
Rechtsanwalt

Die wortgetreue und richtige Abschrift des obigen  
Schriftstueckes wird hiermit beglaubigt und bezeugt.

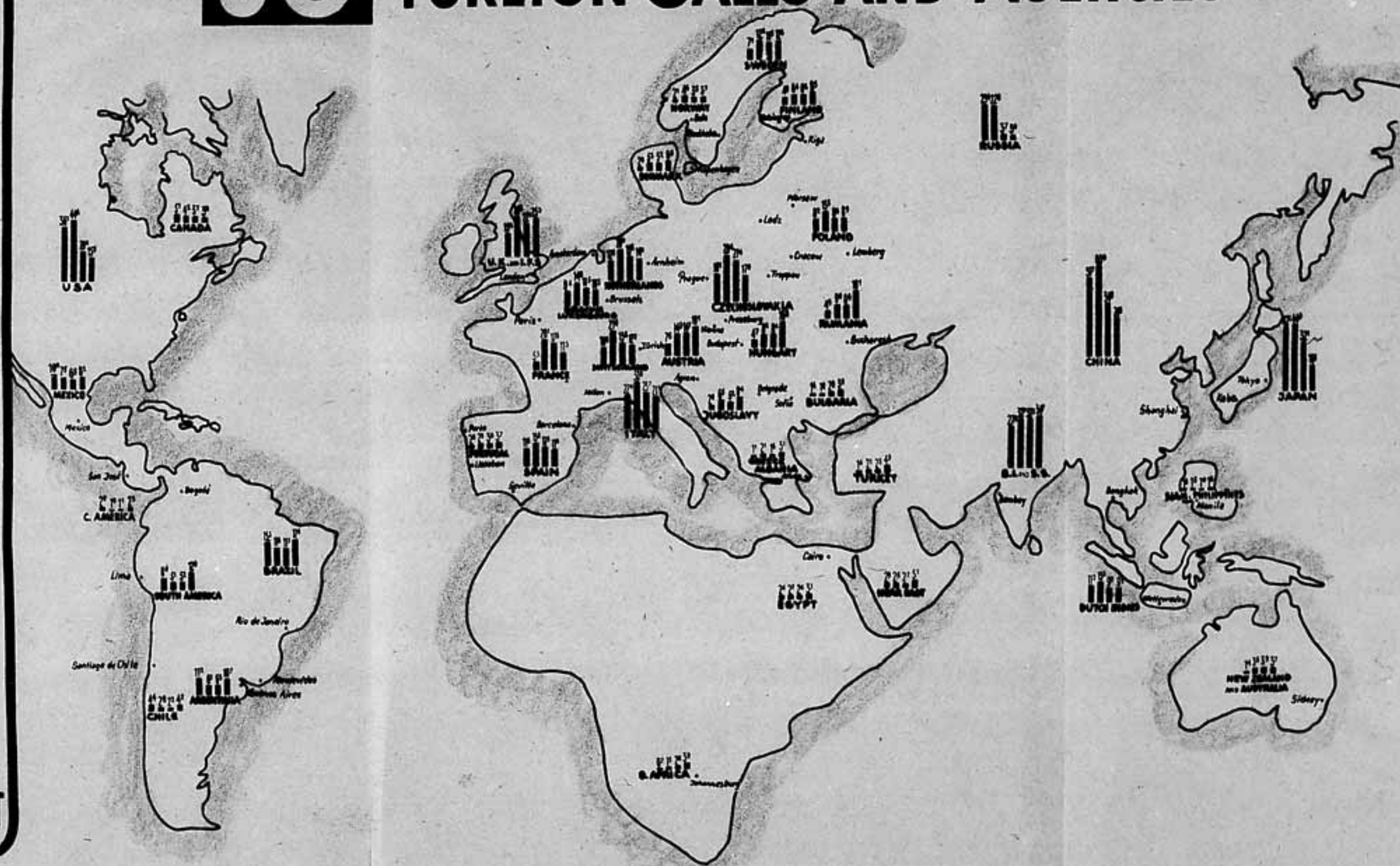
Friedrich Silcher  
Rechtsanwalt



IN MILLIONS RM



# JG-FOREIGN SALES AND AGENCIES





# Investiertes Kapital

(in Millionen RM)

Jahr	Deutsche Industrie	chem.Industrie	Anteil der I.G.Farben
1926 .....	19 420	1 590 = 8,11%	747 = 3,84% = 46,98%
1929 .....	26 470	2 190 = 8,27%	1 062 = 4,01% = 48,49%
1932 .....	25 420	1 980 = 7,78%	952 = 3,74% = 48,08%
1938 .....	20 350	2 140 =10,51%	962 = 4,72% = 44,95%

## Quellen:

Statistische Jahrbuecher des Deutschen Reiches  
Vierteljahreshefte zum Statistischen Jahrbuch des Deutschen  
Reiches Geschaeftsberichte der I.G.

Ich, Dr. Erich P i w o w a r c z y k , Hamburg-Bergdorf,  
bin aufmerksam gemacht worden, dass ich mich strafbar ma-  
che, wenn ich eine falsche eidesstattliche Erklaerung ab-  
gebe. Ich erkläre an Eides Statt, dass meine Aussage der  
Wahrheit entspricht, freiwillig und ohne Zwang erfolgt und  
gemacht wurde, um als Beweismaterial dem Militaergerichts-  
hof Nr. VI im Justizpalast Nuernberg (Deutschland) vorge-  
legt zu werden.

Die Zahlen der vorstehenden Uebersicht "Investiertes Kapi-  
tal" sind den vorstehend genannten Quellen entnommen und  
entsprechen vollstaendig und wahrheitsgemaess diesen Unter-  
lagen.

Nuernberg, den 17. Maerz 1948

Dr. Erich Piwowarczyk



Basic information defense  
Doc. Nr.12

Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Dr. Erich Piwowarczyk, Hamburg-Bergdorf, ist vor mir, Rechtsanwalt Friedrich Silcher, am 17. März 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 17. März 1948

Friedrich Silcher

Die wortgetreue und richtige Abschrift des obigen Schriftstueckes wird hiermit beglaubigt.

Friedrich Silcher  
Rechtsanwalt

Gesamtumsatz

(in Millionen RM)

Jahr	Deutsche Industrie	chen. Industrie	Anteil der I.G. Farben
1926 .....	47 607	3 589 = 7,53%	1 029 = 2,16% = 28,67%
1929 .....	68 358	4 686 = 6,85%	1 422 = 2,08% = 30,34%
1932 .....	33 496 *)	2 750 = 8,29%	876 = 2,61% = 31,85%
1938 .....	80 820 *)	6 500 = 8,04%	1 645 = 2,03% = 25,30%

\*) Errechnet aus dem Gesamtumsatz des Deutschen Reiches, und zwar unter Zugrundelegung der Basisjahre 1928, 1930, 1931, 1935 und 1936, in denen der Industrie-Umsatz im Mittel 36% des deutschen Gesamtumsatzes betrug.

Quellen:

Statistik des Deutschen Reiches, Bd. 361, 399, 511/I., II. Einzelschriften zur Statistik des Deutschen Reiches, Nr. 43. Unterlagen der Zentralbuchhaltung der I.G.

Ich, Dr. Erich Piwowarczyk, Hamburg-Bergdorf, bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe. Ich erkläre an Eides Statt, dass meine Aussage der Wahrheit entspricht, freiwillig und ohne Zwang erfolgt und gemacht wurde, um als Beweismaterial dem Militärgerichtshof Nr. VI im Justizpalast Nuernberg (Deutschland) vorgelegt zu werden.

Die Zahlen der vorstehenden Uebersicht "Gesamtumsatz" sind den vorstehend genannten Quellen entnommen und entsprechen vollstaendig und wahrheitsgetraeu diesen Unterlagen.

Nuernberg, den 17. Maerz 1948.

Dr. Erich Piwowarczyk



Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Dr. Erich Piwowarczyk, Harburg-Bergedorf, ist vor mir, Rechtsanwalt Friedrich Silcher, am 17. März hierselbst geleistet, was hiernit beglaubigt und von mir bezeugt wird.

Nuernberg, den 17. März 1948.

Friedrich Silcher

Die wortgetreue und richtige Abschrift des obigen Schriftstuecks wird hiernit beglaubigt.

Friedrich Silcher  
Rechtsanwalt

Exportumsatz  
(in Millionen RM)

Jahr	Deutscher Gesamtexport	Chemischer Weltexport	Deutscher chem. Export	Anteil der I.G. Farben
1926	10 400	3 900	1 062 = 10,21% = 27,23%	416 = 4,00% = 10,66% = 39,17%
1929	13 500	5 400	1 744 = 12,92% = 32,29%	538 = 3,98% = 9,96% = 30,85%
1932	5 700	2 500	901 = 15,80% = 36,04%	409 = 7,17% = 16,36% = 45,39%
1938	5 300	3 100	794 = 14,98% = 25,61%	421 = 7,94% = 13,58% = 53,02%

Quellen:

"Institut fuer Konjunkturforschung", 1939, Nr. 14  
"Wirtschaftsdienst" (Hamburg), 1929, Nr. 14; 1931, Nr. 26;  
1933, Nr. 31; 1934, Nr. 9.  
"Die Chemische Industrie", 1935, Nr. 25 und 42; 1939, Nr. 1  
und 28.  
Unterlagen der Zentralbuchhaltung der I.G.

Ich, Dr. Erich Piwowarczyk, Hamburg-Bergedorf,  
bin darauf aufmerksam gemacht worden, dass ich mich straf-  
bar mache, wenn ich eine falsche eidesstattliche Erklae-  
rung abgebe. Ich erkläre an Eides Statt, dass meine Aus-  
sage der Wahrheit entspricht, freiwillig und ohne Zwang er-  
folgt und gerichtet wurde, um als Beweismaterial der Militaer-  
gerichtshof Nr. VI in Justizpalast Nuernberg (Deutschland)  
vorgelegt zu werden.

Die Zahlen der vorstehenden Uebersicht "Exportumsatz"  
sind den vorstehend genannten Quellen entnommen und ent-  
sprechen vollstaendig und wahrheitsgemäss diesen Unter-  
lagen.

Nuernberg, den 17. Maerz 1948,

Dr. Erich Piwowarczyk



Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Dr. Erich Piwowarczyk, Hamburg-Bergedorf, ist vor mir, Rechtsanwalt Friedrich Silcher, am 17. März 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 17. März 1948

Friedrich Silcher

Die wortgetreue und richtige Abschrift des obigen Schriftstuecks wird hiermit beglaubigt.

Friedrich Silcher  
Rechtsanwalt

Anzahl der Beschäftigten  
(in Tausend)

Jahr	Deutsche Industrie	chem. Industrie	Anteil der I.G. Farben
1926 .....	5 323 *)	350 = 6,57%	94 = 1,76% = 26,85%
1929 .....	7 179	321 = 4,47%	98 = 1,36% = 30,53%
1932 .....	4 401	224 = 5,09%	66 = 1,49% = 29,46%
1938 .....	8 804	452 = 5,13%	135 = 1,53% = 29,86%

\*) Errechnet auf Basis der Jahre 1929 - 1940, in welchem Zeitraum durchschnittlich 40,8 % aller Beschäftigten in der Industrie tätig waren. Die Gesamtbeschäftigtenzahl des Deutschen Reiches stellte sich 1926 auf 13,049 Millionen.

Quellen:

"Die Ergebnisse der Arbeitsbuchehebung vom 25.6.1938"  
"Wirtschaftsdienst" (Hamburg), 1929, Nr. 27  
"Statistisches Jahrbuch des Deutschen Reiches"  
"Vierteljahrshefte der Statistik des Dt. Reiches"  
Unterlagen der Zentralbuchhaltung der I.G.

Ich, Dr. Erich Piwowarczyk, Hamburg - Bergedorf, bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe. Ich erkläre an Eides Statt, dass meine Aussage der Wahrheit entspricht, freiwillig und ohne Zwang erfolgt und gemacht wurde, um als Beweismaterial der Militärgerichtshof Nr. VI im Justizpalast Nürnberg (Deutschland) vorgelegt zu werden.

Die Zahlen der vorstehenden Übersicht "Anzahl der Beschäftigten" sind den vorstehend genannten Quellen entnommen und entsprechen vollständig und wahrheitsgemäss diesen Unterlagen.

Nürnberg, den 17. März 1948

Dr. Erich Piwowarczyk



Die vorstehende, von mir anerkannte eigenhaendige  
Unterschrift des Herrn Dr. Erich Piwowarczyk, Harburg-  
Bergedorf, ist vor mir, Rechtsanwalt Friedrich Silcher,  
am 17. Maerz 1948 hierselbst geleistet, was hiermit  
beglaubigt und von mir bezeugt wird.

Nuernberg, den 17. Maerz 1948.

Friedrich Silcher

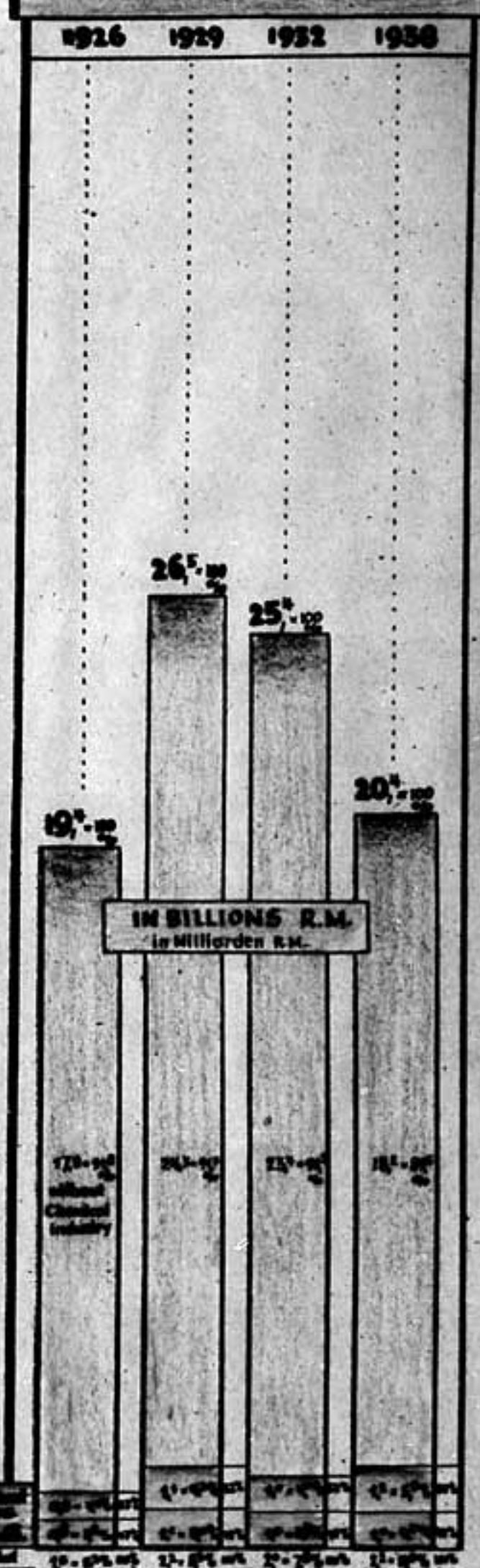
Die wortgetreue und richtige Abschrift des obigen  
Schriftstuecks wird hiermit beglaubigt.

Friedrich Silcher  
Rechtsanwalt



# GERMANY'S INVESTED CAPITAL

## DEUTSCHLANDS INVESTIERTES KAPITAL



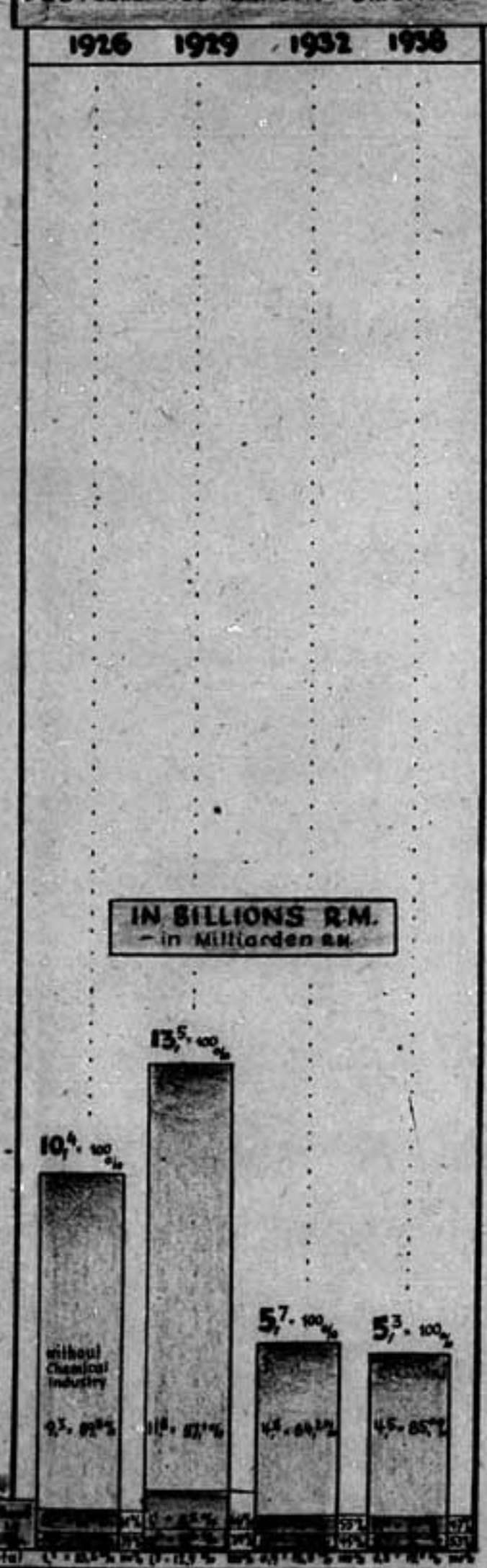
# GERMANY'S TOTAL TURNOVER

## DEUTSCHLANDS GESAMT-UMSATZ



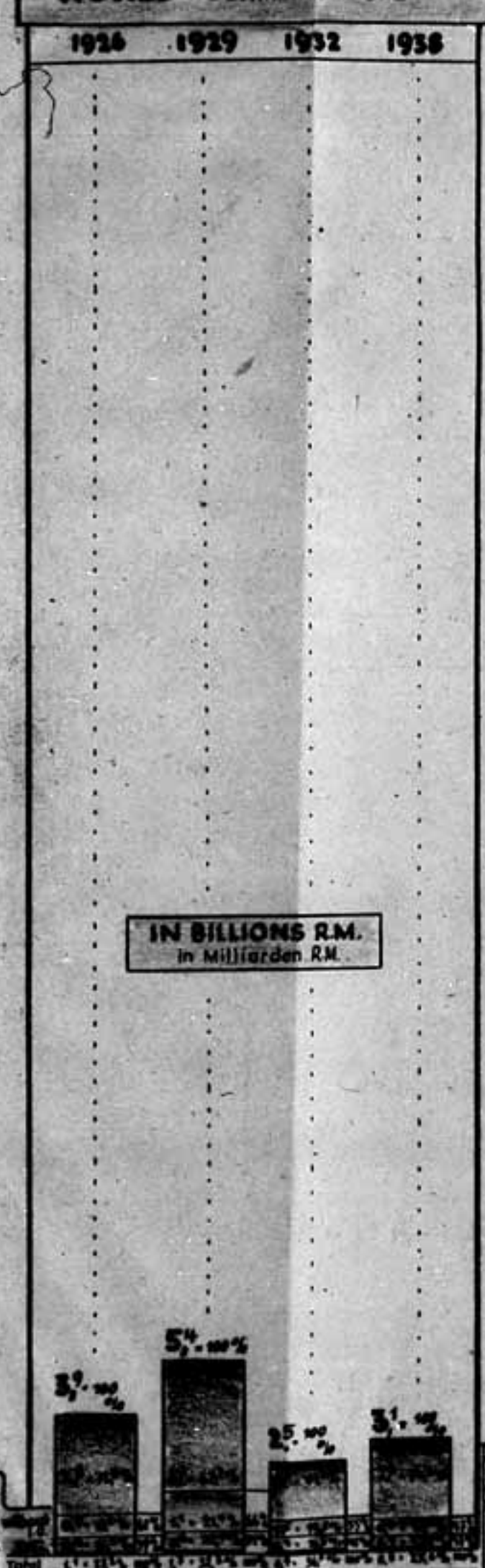
# GERMANY'S EXPORT TURNOVER

## DEUTSCHLANDS EXPORT-UMSATZ



# CHEMICAL EXPORT

## WORLD : GERMANY : J.G.



# GERMANY'S NUMBER OF STAFF

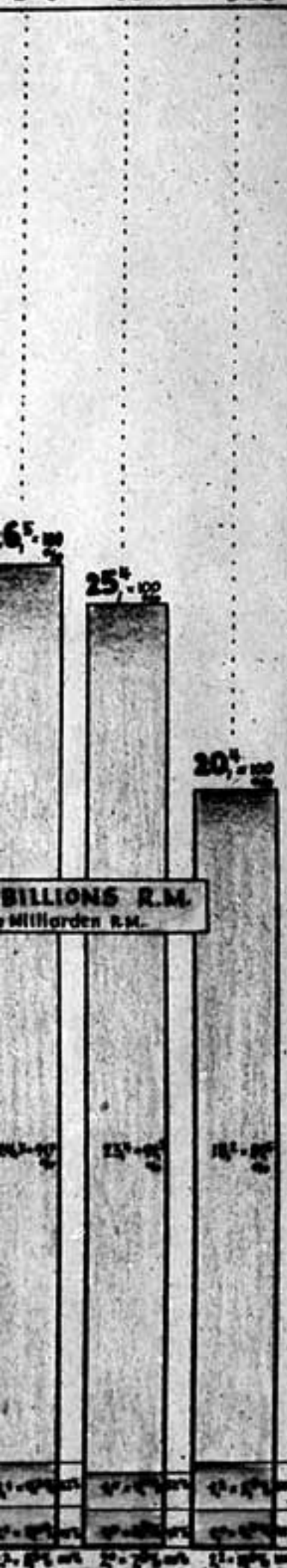
## DEUTSCHLAND/ANZAHL der Beschäftigten





# INVESTED CAPITAL

1929 1932 1938



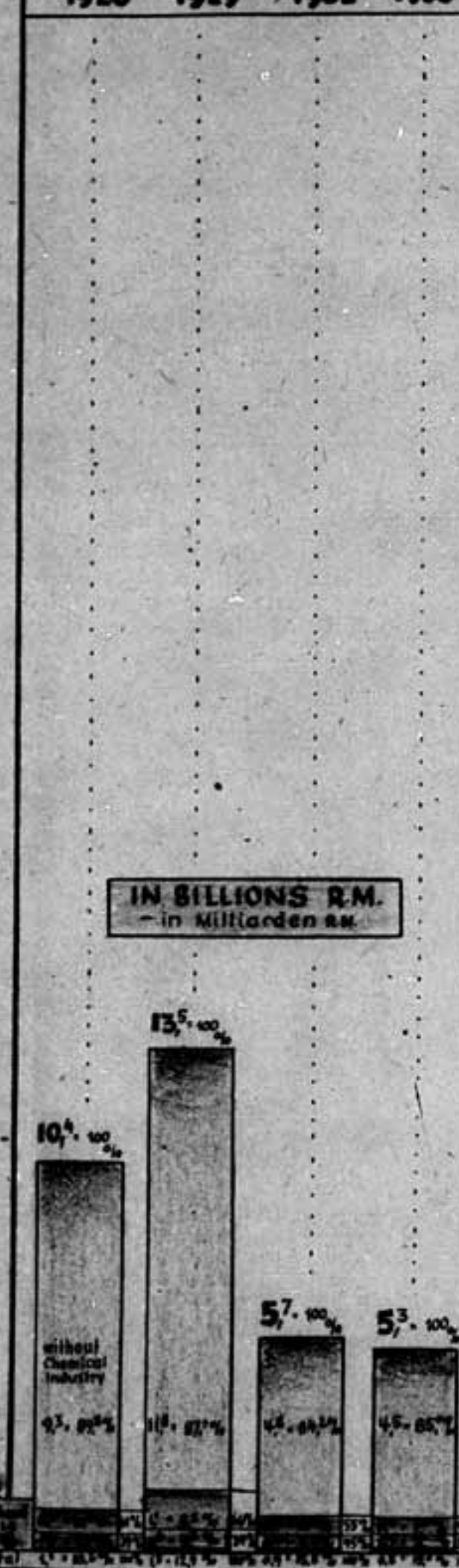
# GERMANY'S TOTAL TURNOVER

1926 1929 1932 1938



# GERMANY'S EXPORT TURNOVER

1926 1929 1932 1938



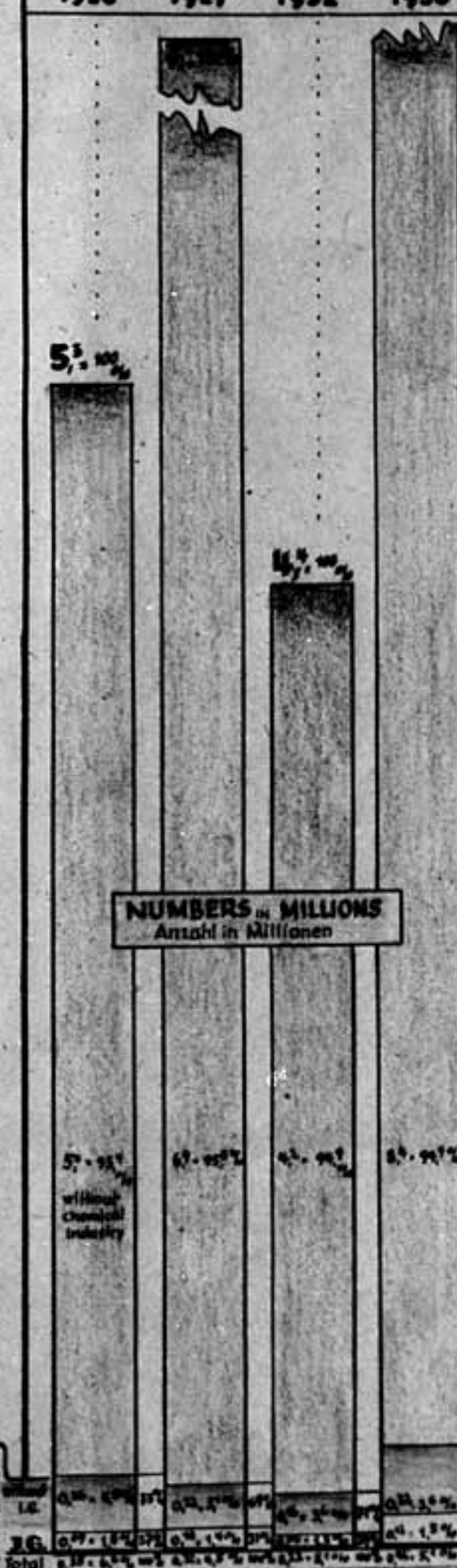
# CHEMICAL EXPORT

1926 1929 1932 1938



# GERMANY'S NUMBER OF STAFF

1926 1929 1932 1938





Eidesstattliche Erklärung

Ich, Dr. Erich Piwowarczyk, Hamburg-Bergedorf, bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklärung abgebe. Ich erkläre an Eides Statt, dass meine Aussage der Wahrheit entspricht, freiwillig und ohne Zwang erfolgt und gemacht wurde, um als Beweismaterial dem Militärgerichtshof Nr. VI im Justizpalast Auerberg (Deutschland) vorgelegt zu werden.

Die Zahlen der anliegenden Aufstellungen betreffend die Firmen

- 1/ E. J. Dupont De Nemours & Co.,
- 2/ Standard Oil Co. (New Jersey),
- 3/ General Motors Corporation,
- 4/ United States Steel Corporation,
- 5/ Imperial Chemical Industries, Ltd. (I.C.I.),
- 6/ I.G. Farbenindustrie Aktiengesellschaft,

sind folgenden Quellen entnommen:

1/ E. J. Dupont De Nemours & Co.

Annual Reports fuer die Jahre 1928 bis 1946,

Moody's Manual of Investments v. 1928, 1930 bis 1933 und 1939/40.

2/ Standard Oil Co. (New Jersey).

Annual Reports fuer die Jahre 1928 bis 1946,

Moody's Manual of Investments von 1928, 1930 bis 1933 und 1939/40,

New York Evening Post (New York), Nr. 273 v. 7.10.25,  
Nr. 153 v. 15.5.26,

Bulletin Commercial (Bruxelles), Nr. 34 v. 20.8.1928,

The Wall Street Journal (New York), Nr. 123 v. 23.5.29,  
Nr. 112 v. 15.5.30, Nr. 126 v. 4.6.30,

The Commercial and Financial Chronicle (New York), Nr. 3438  
v. 16.5.31, Nr. 3491 v. 21.5.32, Nr. 3596 v. 26.5.34,  
Nr. 3647 v. 18.5.35, Nr. 3701 v. 30.5.36, Nr. 3752 v. 22.5.37,  
Nr. 3804 v. 21.5.38, Nr. 3855 v. 13.5.39, Nr. 3858 v. 3.6.39,

The Times (London), Nr. 46459 v. 1.6.33, Nr. 46768 v. 31.5.34,

Neue Zuericher Zeitung (Zuerich), Nr. 105 v. 11.6.34, Nr. 313  
v. 13.11.38, Nr. 145 v. 26.5.39, Nr. 248 v. 10.8.42, Nr. 49  
v. 27.1.43,

The Journal of Commerce (New York), Nr. 12421 v. 21.5.34,  
Nr. 13033 v. 27.5.36, Nr. 13770 v. 2.11.38, Nr. 13927



v. 12.5.39, Nr. 13948 v. 7.6.39, Nr. 14528 v. 8.5.41,  
Nr. 14533 v. 14.5.41,

New York Herald Tribune (New York), Nr. 34320 v. 2.11.40,  
Nr. 34934 v. 9.7.42, Nr. 34968 v. 12.8.42,

Interavia (Genf), Nr. 830 v. 17.8.42.

### 3/ General Motors Corporation.

Annual Reports fuer die Jahre 1925 bis 1933, 1935 bis 1946,  
Moody's Manual of Investments von 1928, 1930 bis 1933 und  
1940.

New York Evening Post (New York), Nr. 211 v. 24.7.1926,  
Nr. 98 v. 12.3.27, Nr. 97 v. 10.3.28,

The Financial News (London), Nr. 12868 v. 11.8.26, Nr. 13814  
v. 9.9.29,

L'Information (Paris), Nr. 251 v. 1.11.28,

The Wall Street Journal (New York), Nr. 25 v. 30.1.29,  
Nr. 74 v. 1.4.29, Nr. 65 v. 30.3.30, Nr. 33 v. 9.2.31,

The Journal of Commerce (New York), Nr. 10524 v. 17.2.28,  
Nr. 11123 v. 7.2.30, Nr. 12071 v. 27.3.33, Nr. 12565 v. 10.  
11.34, Nr. 12832 v. 28.1.36, Nr. 12963 v. 30.3.36, Nr. 13290  
v. 3.4.37, Nr. 14502 v. 8.4.41,

The Commercial and Financial Chronicle (New York), Nr. 3166  
v. 27.2.26, Nr. 3220 v. 12.3.27, Nr. 3272 v. 10.3.28, Nr.  
3323 v. 6.4.29, Nr. 3379 v. 29.3.30, Nr. 3432 v. 4.4.31,  
Nr. 3482 v. 19.3.32, Nr. 3536 v. 1.4.33, Nr. 3594 v. 12.5.34,  
Nr. 3640 v. 30.3.35, Nr. 3693 v. 4.4.36, Nr. 3748 v. 10.4.37,  
Nr. 3798 v. 9.4.38, Nr. 3848 v. 25.3.39, Nr. 3853 v. 29.4.39,  
Nr. 3906 v. 4.5.40,

Neue Zuercher Zeitung (Zuerich), Nr. 98 v. 7.4.41,

New York Herald Tribune (New York), Nr. 34417 v. 7.2.41,  
Nr. 34497 v. 28.4.41, Nr. 34824 v. 21.3.42, Nr. 34826 v. 23.  
3.42.

### 4/ United States Steel Corporation.

Annual Reports fuer die Jahre 1925 - 1944,

Moody's Manual of Investments von 1928, 1930 bis 1933 und  
1939/40,

The Commercial and Financial Chronicle (New York), Nr. 3221  
v. 15.3.27, Nr. 3274 v. 24.3.28, Nr. 3326 v. 23.3.29, Nr.  
3378 v. 22.3.30, Nr. 3430 v. 21.3.31, Nr. 3482 v. 19.3.32,  
Nr. 3534 v. 18.3.33, Nr. 3586 v. 17.3.34, Nr. 3638 v. 16.3.35,  
Nr. 3671 v. 2.11.35, Nr. 3691 v. 21.3.36, Nr. 3743 v. 20.3.37,  
Nr. 3806 v. 4.6.38, Nr. 3847 v. 16.3.39, Nr. 3932 v. 2.11.40,

The Wall Street Journal (New York), Nr. 118 v. 1.6.29, Nr.  
126 v. 20.11.29, Nr. 114 v. 17.5.30, Nr. 62 v. 17.3.31, Nr. 136  
v. 13.6.31.

The Financial News (London), Nr. 13884 v. 29.11.29, Nr. 13986 v. 31.3.30,

L'Information (Paris), Nr. 44 v. 22.2.29, Nr. 90 v. 23.4.31,

The Journal of Commerce (New York), Nr. 12557 v. 31.10.34, Nr. 13235 v. 27.1.37, Nr. 13843 v. 1.2.39, Nr. 14445 v. 29.1.41, Nr. 14489 v. 24.3.41, Nr. 14521 v. 30.4.41,

The Economist (London), Nr. 4762 v. 1.12.34, Nr. 4884 v. 3.4.37,

Neue Zuericher Zeitung (Zuerich), Nr. 503 v. 5.4.40, Nr. 35 v. 4.2.41, Nr. 104 v. 13.4.41, Nr. 165 v. 29.1.43,

New York Herald Tribune (New York), Nr. 34408 v. 29.1.41, Nr. 34822 v. 19.3.42, Nr. 34954 v. 29.7.42,

American Metal Market (New York), Nr. 18.v.27.1.43.

5) Imperial Chemical Industries Ltd.. (I.C.I.).

Annual Reports fuer die Jahre 1927 bis 1942,

Proceedings fuer die Jahre 1929 bis 1938,

The Financial News (London), Nr. 13048 v. 11.3.1927, Nr. 13415 v. 22.5.28, Nr. 13694 v. 19.4.29,

The Times (London), Nr. 44534 v. 19.3.1927, Nr. 44899 v. 22.5.28, Nr. 45181 v. 19.4.29, Nr. 45500 v. 30.4.30, Nr. 46108 v. 15.4.32, Nr. 47360 v. 28.4.36, Nr. 48624 v. 24.5.40,

The Economist (London), Nr. 4360 v. 19.3.27, Nr. 4422 v. 26.5.28, Nr. 4468 v. 13.4.29, Nr. 4571 v. 4.4.31, Nr. 4677 v. 15.4.33, Nr. 4864 v. 3.4.37, Nr. 4937 v. 9.4.38, Nr. 4994 v. 13.5.39,

The Board of Trade Journal (London), Nr. 1581 v. 24.3.27, Nr. 2160 v. 23.4.38,

The China Express and Telegraph (London), Nr. 3331 v. 7.6.28,

The Manchester Guardian (Manchester), Nr. 25773 v. 9.4.1929, Nr. 26101 v. 30.4.30, Nr. 27337 v. 24.4.34,

The Manchester Guardian Commercial (Manchester), Nr. 480 v. 29.8.29,

The Journal of Commerce (New York), Nr. 13578 v. 18.3.38,

Neue Zuericher Zeitung (Zuerich), Nr. 123 v. 4.5.39, Nr. 722 v. 15.5.40, Nr. 162 v. 5.6.1941, Nr. 184 v. 15.6.42, Nr. 800 v. 19.5.43,

Finance and Commerce (Shanghai), Nr. 21 v. 24.5.39.

6/ I.G. Farbenindustrie Aktiengesellschaft.

Geschäftsberichte und Unterlagen der Zentralbuchhaltung.

Muernberg, den 17.3.1948

Dr. Erich Piwowarczyk



Die umstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Dr. Erich Piwowarczyk, Hahburg-Bergedorf, ist vor mir, Rechtsanwalt Friedrich Silcher, am 17. März 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezuget wird.

Nuernberg, den 17. März 1948.

Friedrich Silcher

Die wortgetreue und richtige Abriecht des obigen Schriftstueckes wird hiermit beglaubigt.

Friedrich Silcher  
Rechtsanwalt



IN MILLIONS  
U.S. \$

# Comparison between J.G. and some U.S. and BRITISH firms

	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	
<b>DU PONT</b>																				
Working capital .....	307.9	311.2	395.2	451.1	528.8	550.0	500.7	500.9	509.3	526.9	556.8	625.3	656.8	646.4	654.3	676.4	694.6	726.2	756.7	
Total turnover .....	90.4	96.4	119.0	203.5	186.4	165.5	124.0	156.1	179.9	220.5	260.5	286.0	255.4	298.8	359.0	505.4	525.5	612.9	646.2	
Export turnover .....	Not shown	till 1937																		
Wages and salaries ..	27.2	27.6	36.7	65.8	65.4	54.5	39.6	45.8	57.7	65.1	81.7	107.5	90.7	97.6	125.6	154.5	159.5	181.6	194.6	
Social contributions ..	Not shown	till 1936																		
Staff ( x 1000 ) .....	15.2	14.9	20.5	35.1	31.1	29.0	28.0	36.0	38.0	41.0	55.0	52.0	42.5	44.1	55.8	60.0	61.1	65.2	64.4	
Dividends .....	35.2	35.9	49.6	60.1	46.0	44.0	29.9	30.2	34.5	42.9	67.4	70.2	58.1	60.9	84.9	85.0	54.8	54.8	65.9	
<b>STAND OIL</b>																				
Working capital .....	1.265.9	1.295.1	1.391.2	1.518.3	1.519.6	1.756.4	1.666.1	1.615.8	1.581.1	1.592.9	1.562.0	1.610.0	1.661.1	1.710.4	1.716.1	1.755.6	1.817.9	1.850.9	1.922.3	
Total turnover .....	1.508.9	1.250.5	1.302.7	1.525.5	1.391.8	1.004.9	1.000.0	779.7	1.017.9	1.076.2	1.102.1	1.308.9	1.175.7	955.7	821.7	978.4	1.039.5	1.302.8	1.058.7	
Export turnover .....	Not shown																			
Wages and salaries ..	Not shown											110.2					185.1	209.5	275.8	
Social contributions ..	Not shown																			
Staff ( x 1000 ) .....	37.1	38.4	36.5	46.5	51.7	43.4	46.1	47.9	50.1	50.6	52.4	51.2	51.3	49.2	48.5	85.0	86.2	92.4	96.0	
Dividends .....	37.1	38.4	36.5	46.5	50.9	51.2	50.6	32.0	51.9	50.6	52.4	65.5	50.1	54.0	47.6	68.2	54.6	54.6	68.5	
<b>GEN. MOT.</b>																				
Working capital .....	654.1	757.6	854.5	955.8	966.7	925.7	860.7	871.4	892.6	954.1	990.5	1.017.1	1.045.9	1.068.9	1.095.5	1.116.3	1.179.9	1.299.4	1.269.2	
Total turnover .....	1.058.1	1.269.5	1.459.7	1.504.4	985.5	808.8	432.5	569.0	862.7	1.155.6	1.439.3	1.606.8	1.066.9	1.376.8	1.795.0	2.436.8	2.250.5	3.796.1	4.262.2	
Export turnover .....	98.1	171.9	252.1	243.0	155.7	110.5	64.7	104.6	202.2	248.0	282.9	335.6	334.4	Not further shown						
Wages and salaries ..	220.9	302.9	365.5	389.5	279.4	256.5	145.2	171.1	267.2	327.6	384.1	460.4	500.8	386.5	492.2	669.7	899.5	1.322.0	1.380.0	
Social contributions ..	Not shown																			
Staff ( x 1000 ) .....	129.5	175.6	208.9	235.2	172.9	157.5	116.1	137.7	191.1	211.7	250.5	281.9	189.0	220.4	249.3	305.8	314.1	448.8	465.6	
Dividends .....	111.5	145.9	174.7	166.0	140.0	139.8	65.1	65.0	75.6	105.7	202.2	169.7	75.6	160.5	169.0	171.8	96.2	96.3	141.2	
<b>U.S. STEEL</b>																				
Working capital .....	1.089.6	1.910.0	1.913.7	1.720.4	1.002.5	1.751.2	1.695.6	1.611.0	1.584.7	1.576.6	1.581.4	1.618.3	1.491.9	1.478.7	1.510.1	1.556.2	1.525.9	1.517.8	1.482.5	
Total turnover .....	1.508.0	1.510.5	1.574.4	1.495.5	1.180.9	729.5	557.2	524.9	591.6	754.4	1.003.3	1.395.5	766.6	904.1	1.076.4	1.620.5	1.862.0	1.972.0	2.082.2	
Export turnover .....	100.4	85.7	91.0	89.6	64.6	40.2	17.5	26.2	37.2	34.2										
Wages and salaries ..	467.4	450.7	415.6	420.0	391.2	266.8	135.9	165.1	210.5	251.5	338.8	442.9	282.2	368.5	458.6	601.1	750.0	912.9	957.2	
Social contributions ..	12.4	11.9	11.7	12.7	13.2	12.5	11.4	11.6	12.8	13.5	14.8	16.9	14.7	12.9	16.9	21.5	36.8			
Staff ( x 1000 ) .....	255.1	251.5	221.7	224.9	211.0	203.6	158.0	172.5	189.8	194.8	222.3	261.2	202.1	225.8	254.5	308.0	335.8	340.5	314.8	
Dividends .....	60.8	75.0	75.0	89.0	85.5	62.2	20.7	7.2	7.2	7.2	50.4	67.2	25.2	25.2	60.0	60.0	60.0	60.0	60.0	
<b>I.C.I.</b>																				
Working capital .....	-	288.6	376.5	457.7	462.6	360.6	446.4	492.3	448.8	477.8	426.8	459.0	443.5	451.5	449.5	448.4	448.4	449.5	449.8	
Total turnover .....	-	Not shown																		
Export turnover .....	-	Not shown																		
Wages and salaries ..	-	Not shown																		
Social contributions ..	-	Not shown till 1939																		
Staff ( x 1000 ) .....	-	40.0	54.9	60.3	51.0	42.0	35.0	36.8	41.7	55.5	36.0	61.6	65.0							
Dividends .....	-	12.1	20.1	24.5	26.1	17.2	20.6	25.5	25.5	22.0	22.0	28.9	27.9	27.9	27.9	27.9	27.9	27.9	27.9	
<b>(2 = \$ 4.90)</b>																				
<b>J.G.</b>																				
Working capital .....	368.4	394.8	500.4	505.0	505.0	461.0	461.0	461.0	454.6	454.6	454.6	471.4	472.4	501.8	538.8	609.7	741.1	741.1	741.1	
Total turnover .....	410.8	506.4	568.0	574.8	468.4	405.2	348.4	356.4	395.2	436.4	518.4	606.0	699.0	795.6	864.0	1.016.0	1.161.6	1.246.4	1.026.0	
Export turnover .....	166.6	199.6	229.2	256.0	189.2	189.2	165.6	168.6	154.4	162.8	161.6	178.8	168.4	180.4	188.8	176.4	202.4	246.0	171.6	
Wages and salaries ..	90.0	120.0	139.2	145.6	120.0	96.0	69.2	70.1	79.1	91.0	100.5	136.6	151.2	165.4	178.7	199.2	205.6	219.9	225.0	
Social contributions ..	16.1	16.2	19.7	22.4	20.3	18.5	18.1	21.8	19.6	20.6	31.2	35.4	44.6	51.2	54.1	55.8	68.8	82.6	86.6	
Staff ( x 1000 ) .....	95.7	108.0	114.1	97.7	80.0	68.0	66.5	76.7	92.5	98.0	109.9	124.2	135.2	135.5	143.0	160.0	187.7	199.5	188.9	
Dividends .....	26.4	38.2	38.4	38.4	34.2	19.2	19.0	19.0	19.0	19.0	19.0	21.8	21.8	22.1	25.5	26.6	32.6	32.6	-	
<b>(RM 2.50 = \$ 1.-)</b>																				

Unterschriften als Belege zu meiner eidesstattlichen Erklärung von 17.3.1948.  
Nürnberg, den 17.3.1948.

(Dr. Erich Pionarczyk)

Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn  
Dr. Erich Pionarczyk, Nürnberg-Bergedorf, ist von mir, Rechtsanwalt  
Friedrich Salcher, am 17. März 1948 hienachst galastet, was hienachst beglaubigt und von mir bezeugt wird.  
Nürnberg, den 17.3.1948.



Comparison between **J.G.** and some **U.S.**-and **BRITISH** firms:

	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944
WORKING CAPITAL																			
DU PONT .....	307.9	311.2	355.2	451.1	528.8	550.0	500.7	500.9	509.3	526.9	556.8	625.3	636.8	646.4	654.3	676.4	694.6	726.2	756.7
STAND. OIL .....	1,269.9	1,295.1	1,391.2	1,518.3	1,519.6	1,736.4	1,566.1	1,613.8	1,581.1	1,592.9	1,562.0	1,610.0	1,665.1	1,710.4	1,716.1	1,755.6	1,817.9	1,830.9	1,922.3
GEN. MOT. ....	634.1	757.6	854.5	955.3	966.7	925.7	860.7	871.4	892.6	954.1	990.5	1,017.1	1,045.9	1,068.9	1,095.5	1,116.3	1,179.9	1,239.4	1,269.2
U. S. STEEL .....	1,889.6	1,910.0	1,913.7	1,720.4	1,802.5	1,751.2	1,655.6	1,611.0	1,584.7	1,576.6	1,581.4	1,618.3	1,491.9	1,478.7	1,510.1	1,556.2	1,525.9	1,517.8	1,482.5
I. C. I. ....	-	288.6	376.3	457.7	462.6	460.6	446.4	452.3	448.8	477.8	426.8	439.0	445.5	451.3	449.3	448.4	448.4	449.3	449.8
I. G. ....	368.4	394.8	500.4	505.0	505.0	461.0	461.0	461.0	454.6	454.6	454.6	471.4	472.4	521.8	558.8	609.7	741.1	741.1	741.1
TOTAL TURNOVER																			
DU PONT .....	50.4	96.4	119.0	203.3	126.4	165.5	124.0	156.1	179.9	220.5	260.3	286.0	255.4	298.0	359.0	503.4	523.5	612.9	646.2
STAND. OIL .....	1,308.9	1,256.5	1,302.7	1,525.3	1,581.8	1,084.9	1,080.0	779.7	1,017.9	1,076.2	1,162.1	1,308.9	1,173.7	953.7	821.7	978.4	1,099.3	1,302.8	1,638.7
GEN. MOT. ....	1,058.1	1,269.5	1,459.7	1,504.4	983.3	808.8	452.3	569.0	862.7	1,155.6	1,499.3	1,606.8	1,066.9	1,376.8	1,795.0	2,436.3	2,250.5	3,796.1	4,262.2
U. S. STEEL .....	1,508.0	1,510.0	1,374.4	1,493.5	1,130.9	729.3	357.2	524.9	591.6	754.4	1,085.3	1,395.5	766.6	904.1	1,076.4	1,620.5	1,862.0	1,972.0	2,082.2
I. C. I. ....	-	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
I. G. ....	410.8	506.4	568.0	574.8	468.4	403.2	348.4	356.4	393.2	456.4	518.4	606.0	699.2	795.6	864.0	1,016.0	1,161.6	1,246.4	1,026.0
EXPORT TURNOVER																			
DU PONT .....	Not shown	till 1937	-	-	-	-	-	-	-	-	-	-	9.8	14.9	28.7	31.6	36.6	36.7	51.7
STAND. OIL .....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GEN. MOT. ....	98.1	171.9	252.1	243.0	155.7	110.5	64.7	104.6	202.2	248.0	282.9	335.6	334.4	Not further shown	-	-	-	-	-
U. S. STEEL .....	100.4	85.7	91.0	89.6	64.6	40.2	17.5	26.2	37.2	34.2	-	-	-	81.4	-	-	-	-	-
I. C. I. ....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
I. G. ....	166.6	199.6	229.2	236.0	189.2	189.2	163.6	163.6	154.4	162.8	161.6	178.8	168.4	180.4	148.8	176.4	202.4	246.0	171.6
WAGES and SALARIES																			
DU PONT .....	27.2	27.6	36.7	63.8	63.4	54.3	39.6	45.8	57.7	63.1	81.7	107.5	90.7	97.6	129.6	134.5	159.5	181.6	194.6
STAND. OIL .....	-	-	-	-	-	-	-	-	-	-	-	110.2	-	-	-	-	185.1	209.3	275.8
GEN. MOT. ....	220.9	302.9	365.3	389.5	279.4	256.5	143.2	171.1	263.2	327.6	384.1	460.4	300.8	386.3	492.2	669.7	859.3	1,322.0	1,380.0
U. S. STEEL .....	467.4	450.7	413.6	420.0	391.2	266.8	133.9	163.1	210.5	251.5	338.8	442.9	282.2	368.5	438.6	601.1	736.0	912.9	957.2
I. C. I. ....	-	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
I. G. ....	90.0	120.0	139.2	145.6	120.0	96.0	69.2	70.1	79.1	91.0	100.5	136.6	151.2	165.4	178.7	199.2	205.6	219.9	225.0
SOCIAL CONTRIBUTION																			
DU PONT .....	Not shown	till 1936	-	-	-	-	-	-	-	-	-	-	14.2	14.6	21.0	21.0	18.6	21.8	26.6
STAND. OIL .....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GEN. MOT. ....	Not shown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
U. S. STEEL .....	12.4	11.9	11.7	12.7	13.2	12.5	11.4	11.6	12.8	13.5	14.8	16.9	14.7	12.9	16.9	21.5	36.8	-	-
I. C. I. ....	-	Not shown	till 1939	-	-	-	-	-	-	-	-	-	-	-	7.4	7.4	7.8	-	-
I. G. ....	16.1	16.2	19.7	22.4	20.3	18.5	18.1	21.8	19.6	20.6	31.2	35.4	44.6	51.2	54.1	53.8	68.8	82.6	86.6
STAFF (X1000)																			
DU PONT .....	15.2	14.9	20.5	35.1	31.1	29.0	28.0	36.0	38.0	41.0	53.0	52.0	42.3	44.1	53.8	60.0	61.1	63.2	64.4
STAND. OIL .....	-	-	-	53.5	51.7	43.4	46.1	47.9	50.1	-	-	51.2	51.3	49.2	48.5	85.0	86.2	92.4	96.0
GEN. MOT. ....	129.5	175.6	208.9	233.2	172.9	157.5	116.1	137.7	191.1	211.7	250.5	261.9	189.0	220.4	249.3	303.8	314.1	448.8	465.6
U. S. STEEL .....	253.1	231.5	221.7	224.9	211.0	203.6	158.0	172.5	189.8	194.8	222.3	261.2	202.1	223.8	254.3	308.0	335.8	340.5	314.8
I. C. I. ....	-	40.0	54.9	60.3	51.0	42.0	33.0	36.8	41.7	53.3	56.0	61.6	65.0	-	-	135.0	-	-	-
I. G. ....	93.7	108.0	114.1	97.7	80.0	68.0	66.5	76.7	92.3	98.0	109.9	124.2	135.2	133.5	143.0	160.0	187.7	199.5	188.9
DIVIDENDS																			
DU PONT .....	33.2	35.9	49.6	60.1	46.0	44.0	29.9	30.2	34.3	42.9	67.4	70.2	38.1	80.9	84.9	85.0	54.8	54.8	65.9
STAND. OIL .....	37.1	38.4	36.5	46.5	50.9	51.2	50.6	32.0	31.9	50.6	32.4	65.5	50.1	34.0	47.6	68.2	54.6	54.6	68.3
GEN. MOT. ....	111.5	143.9	174.7	166.0	160.0	139.8	63.1	63.0	73.6	105.7	202.2	169.7	73.6	150.3	169.0	171.8	96.2	96.3	141.2
U. S. STEEL .....	60.8	75.0	75.0	89.0	85.5	62.2	20.7	7.2	7.2	7.2	30.4	67.2	23.2	25.2	60.0	60.0	60.0	60.0	60.0
I. C. I. ....	-	19.1	20.1	24.5	20.1	17.2	20.6	23.5	25.5	22.0	22.0	28.9	27.9	27.9	27.9	27.9	27.9	27.9	27.9
I. G. ....	26.4	30.2	38.4	38.4	34.2	19.2	19.0	19.0	19.0	19.0	19.0	21.8	21.8	22.1	23.5	26.6	32.6	32.6	-

Unterschieden als Anlage zu meiner eidesstattlichen Erklärung vom 17.5.1948  
Nürnberg, den 17.5.1948

(Dr. Erich Fiszewczyk)

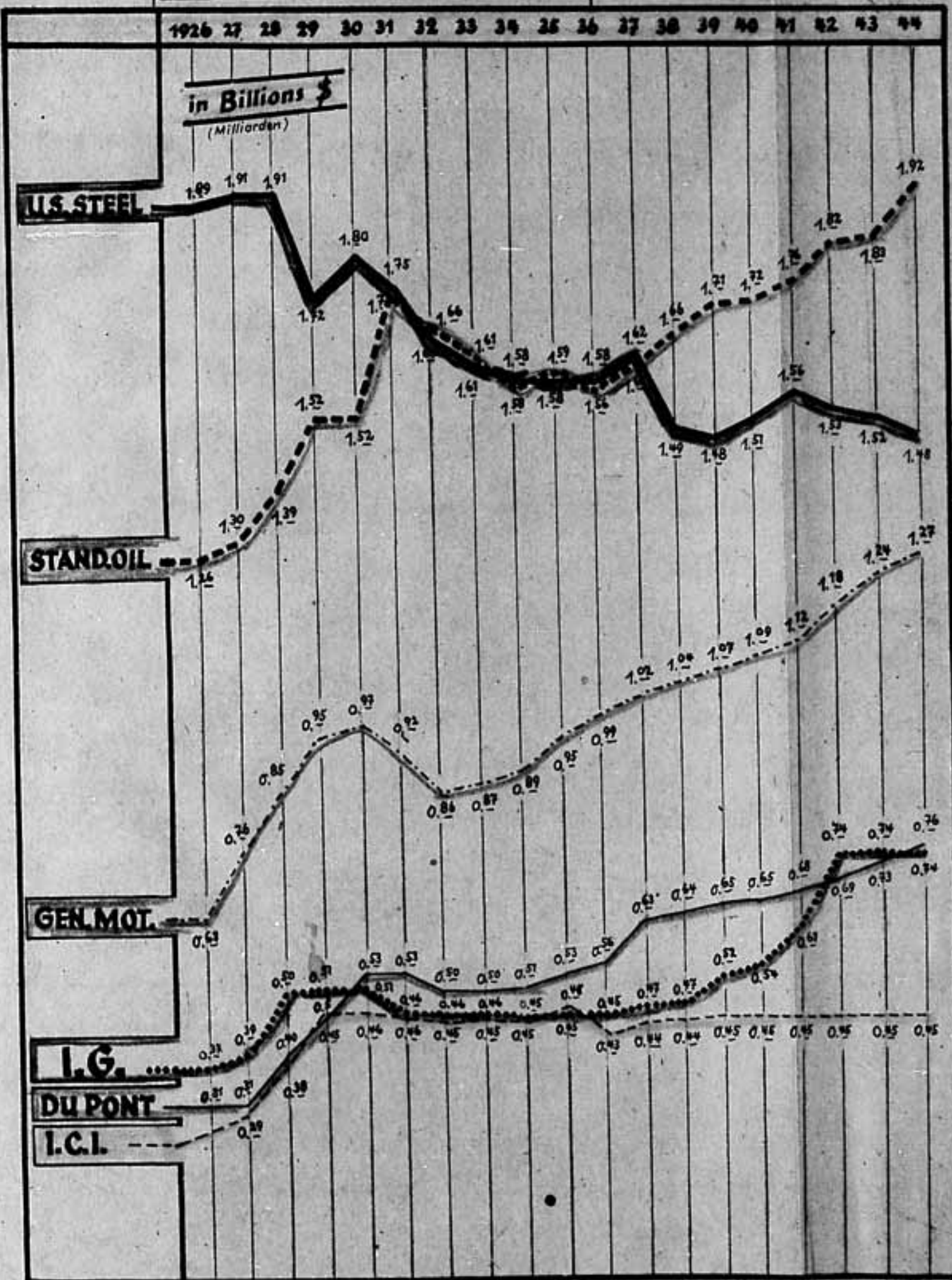
Die vorstehende, von mir anerkannte Unterschrift des Herrn  
Dr. Erich Pismarczyk, Humberg-Bergedorf, ist vor mir, Rechtsanwalt  
Friedrich Silcher, am 17. März 1948 hierselbst geleistet, was hiermit beglaubigt und von mir bezeugt wird.  
Münchberg, den 17.3.1948



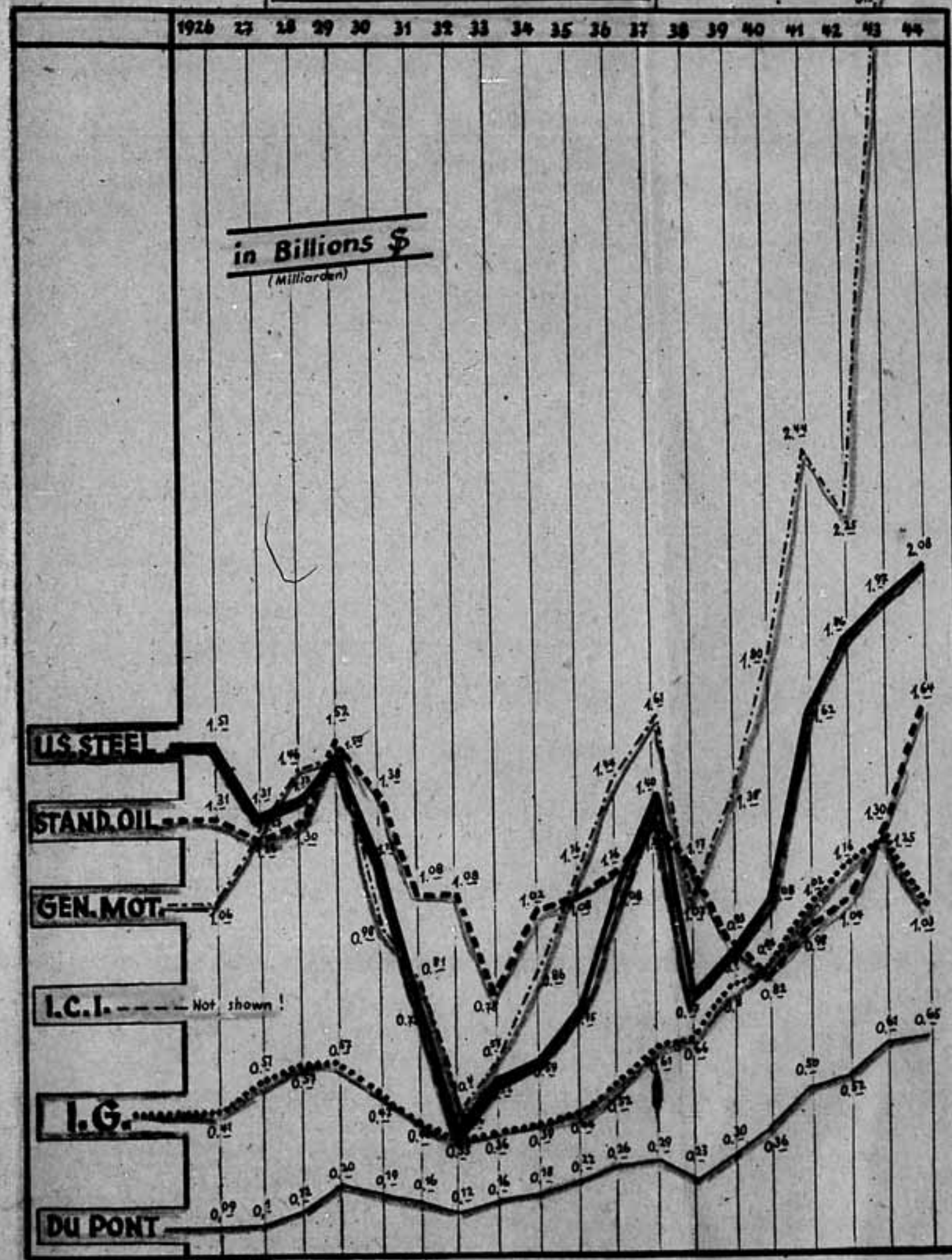
# COMPARISON

between IG and some  
US and BRITISH  
Companies

## WORKING CAPITAL



## TOTAL TURNOVER



STAND.OIL

IG

U.S. STEEL

GEN. MOT.

ICI

DU PONT

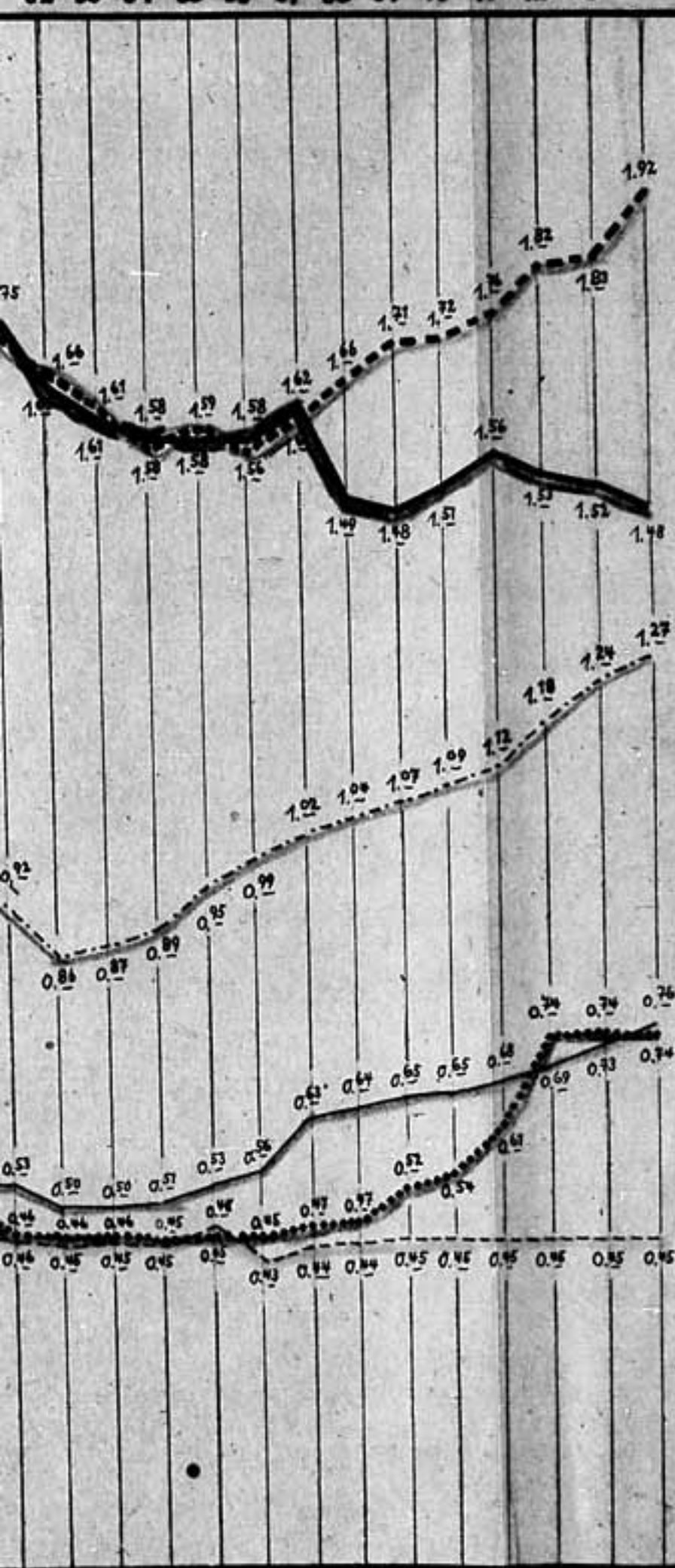


# COMPARISON

between IG and some  
US and BRITISH  
Companies

## CAPITAL

32 33 34 35 36 37 38 39 40 41 42 43 44



## TOTAL TURNOVER

in Billions \$  
(Milliarden)

U.S. STEEL

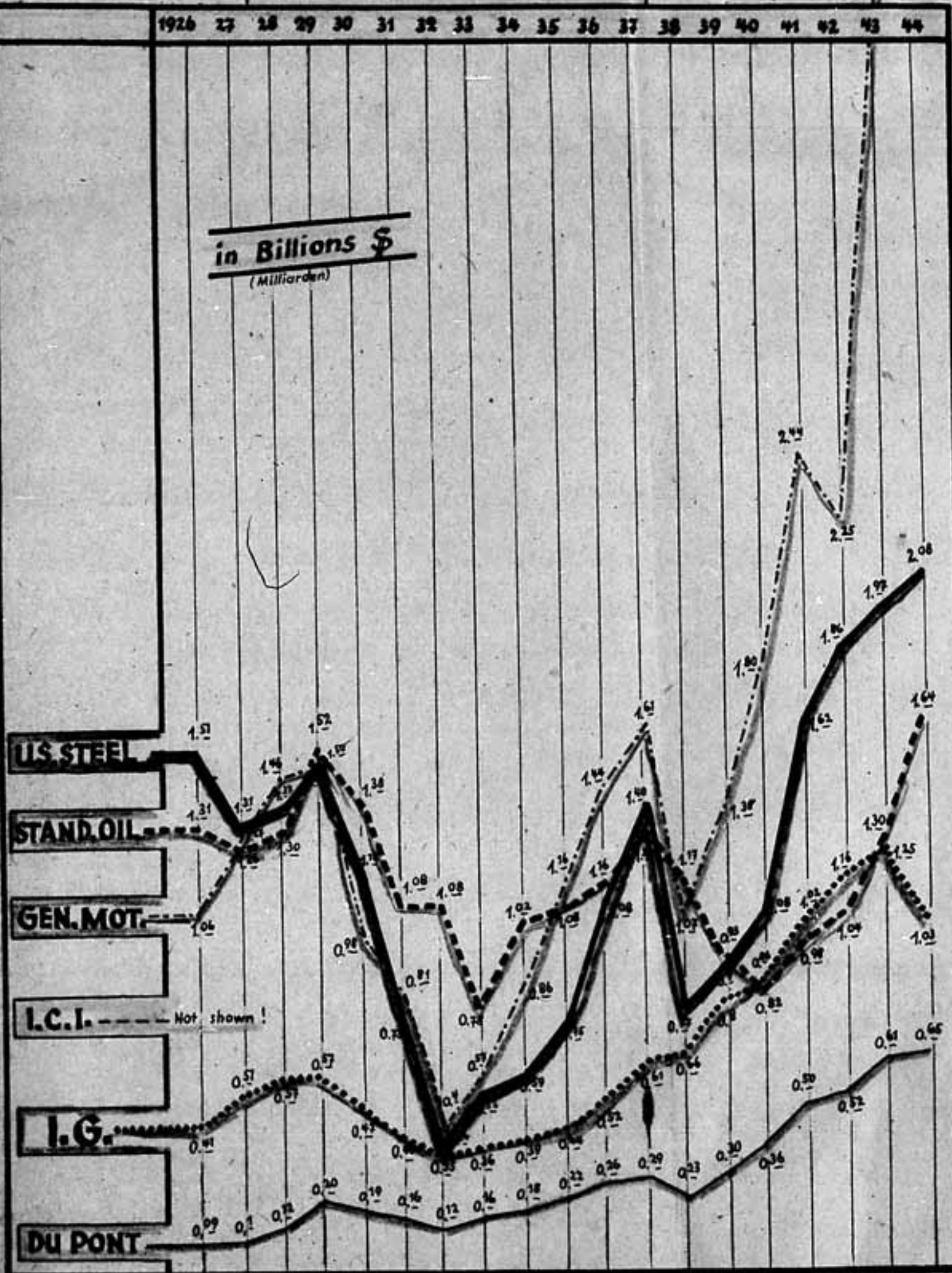
STAND OIL

GEN. MOT.

I.C.I.

I.G.

DU PONT



## EXPORT TURNOVER

1926 27 28 29 30 31 32 33

in Billions \$  
(Milliarden)

STAND OIL

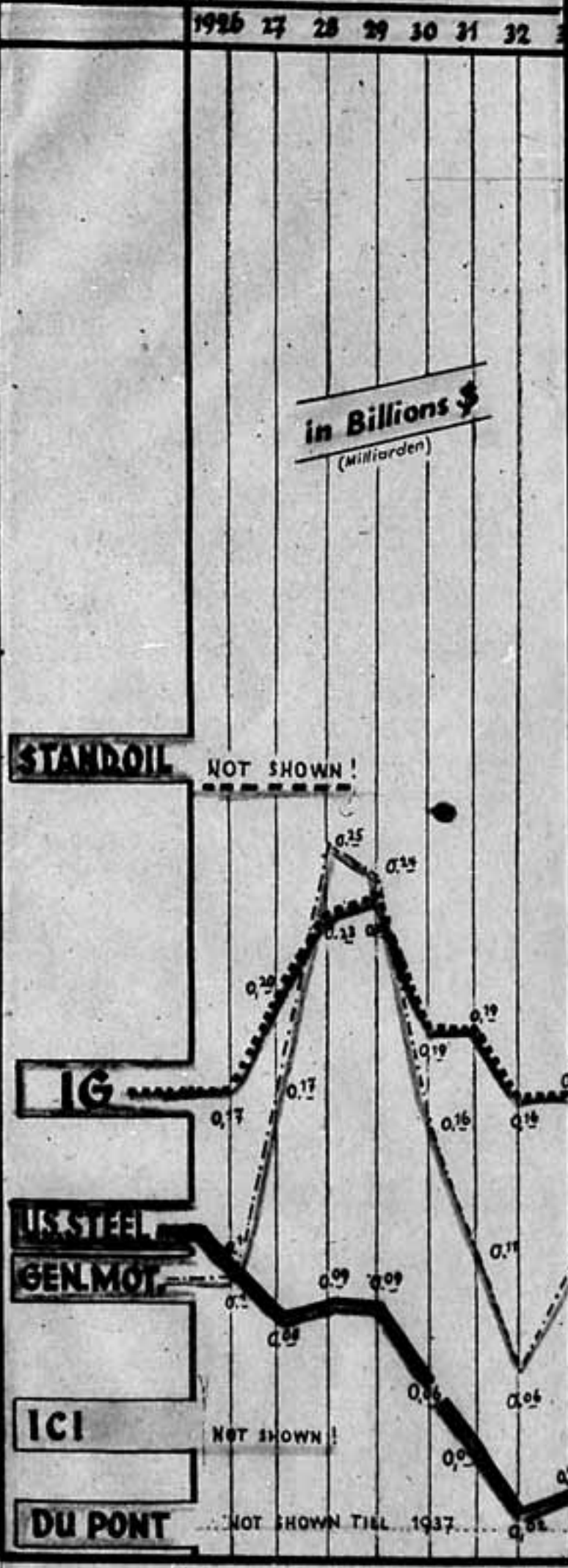
IG

U.S. STEEL

GEN. MOT.

ICI

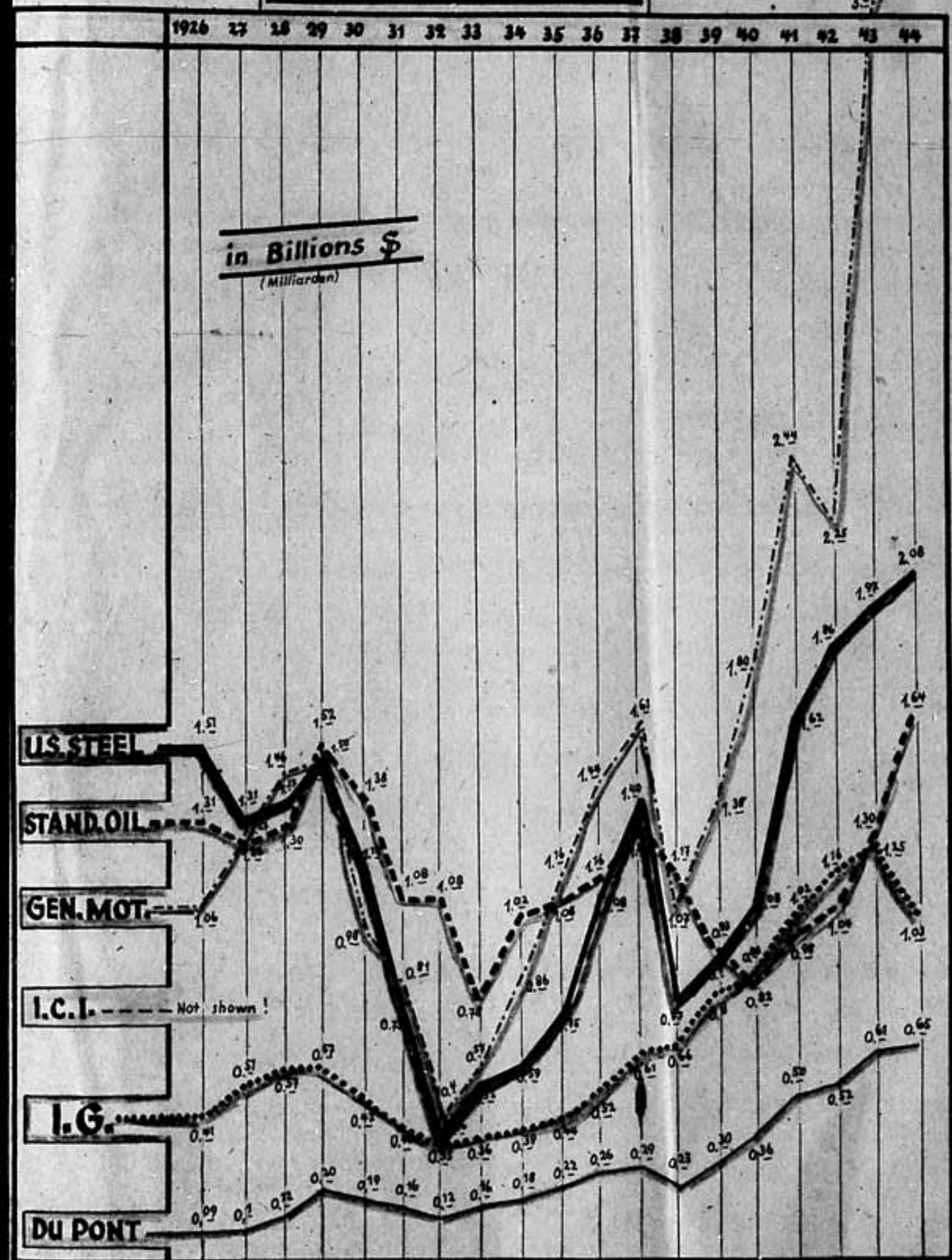
DU PONT





# TOTAL TURNOVER

in Billions \$  
(Milliarden)

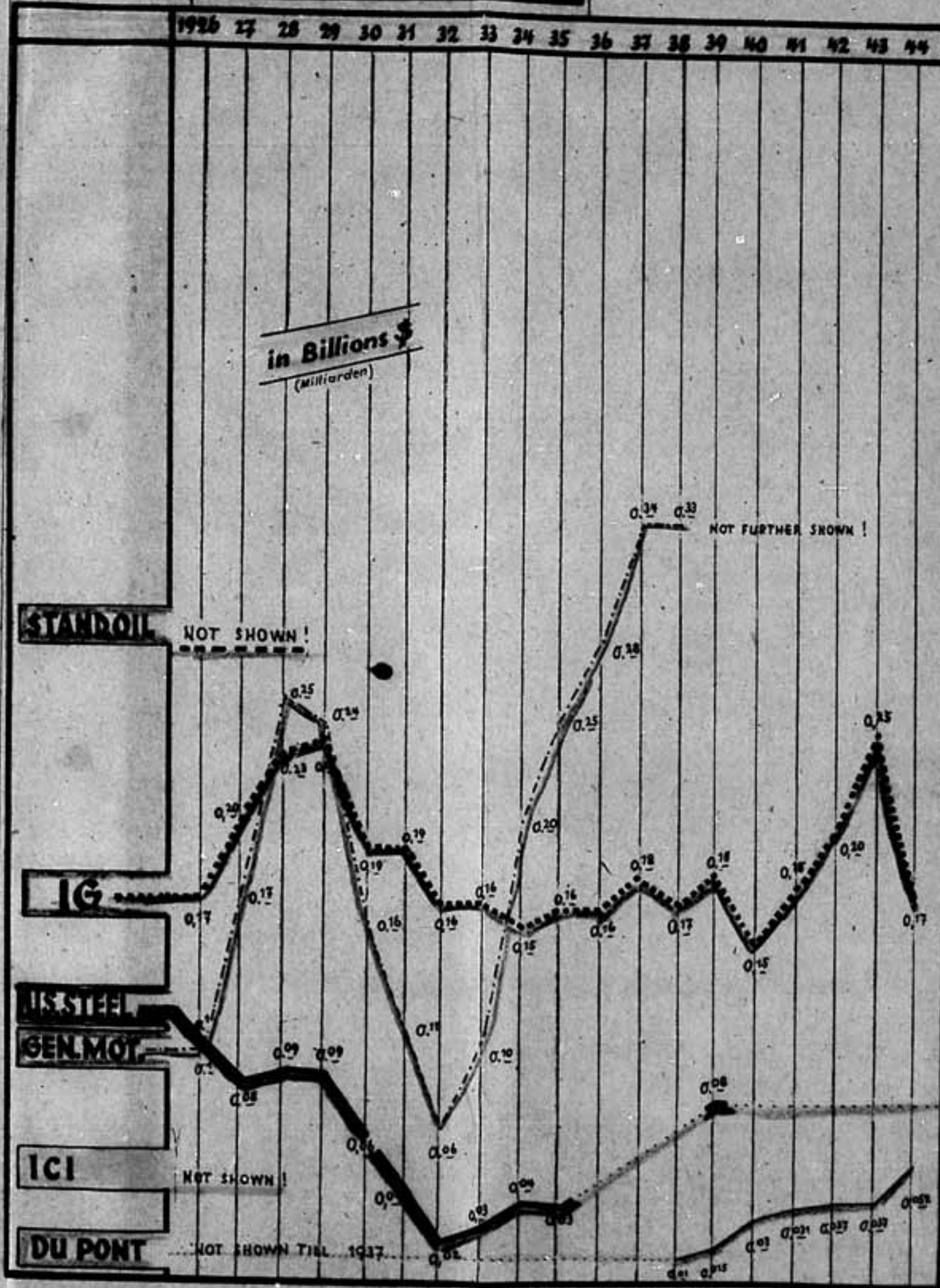


# COMPARISON

between JG and some  
US and BRIT  
Companies

# EXPORT TURNOVER

in Billions \$  
(Milliarden)



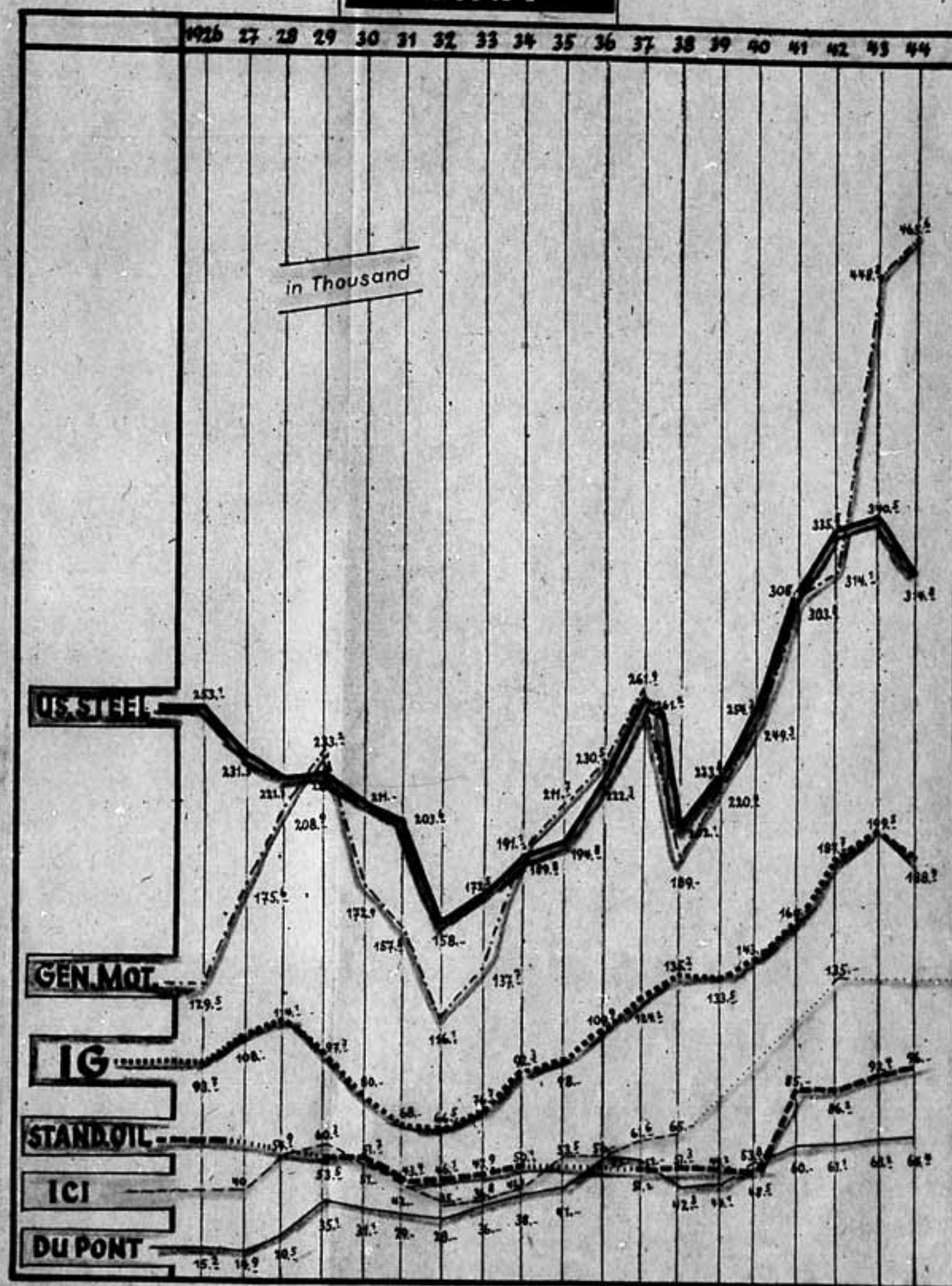
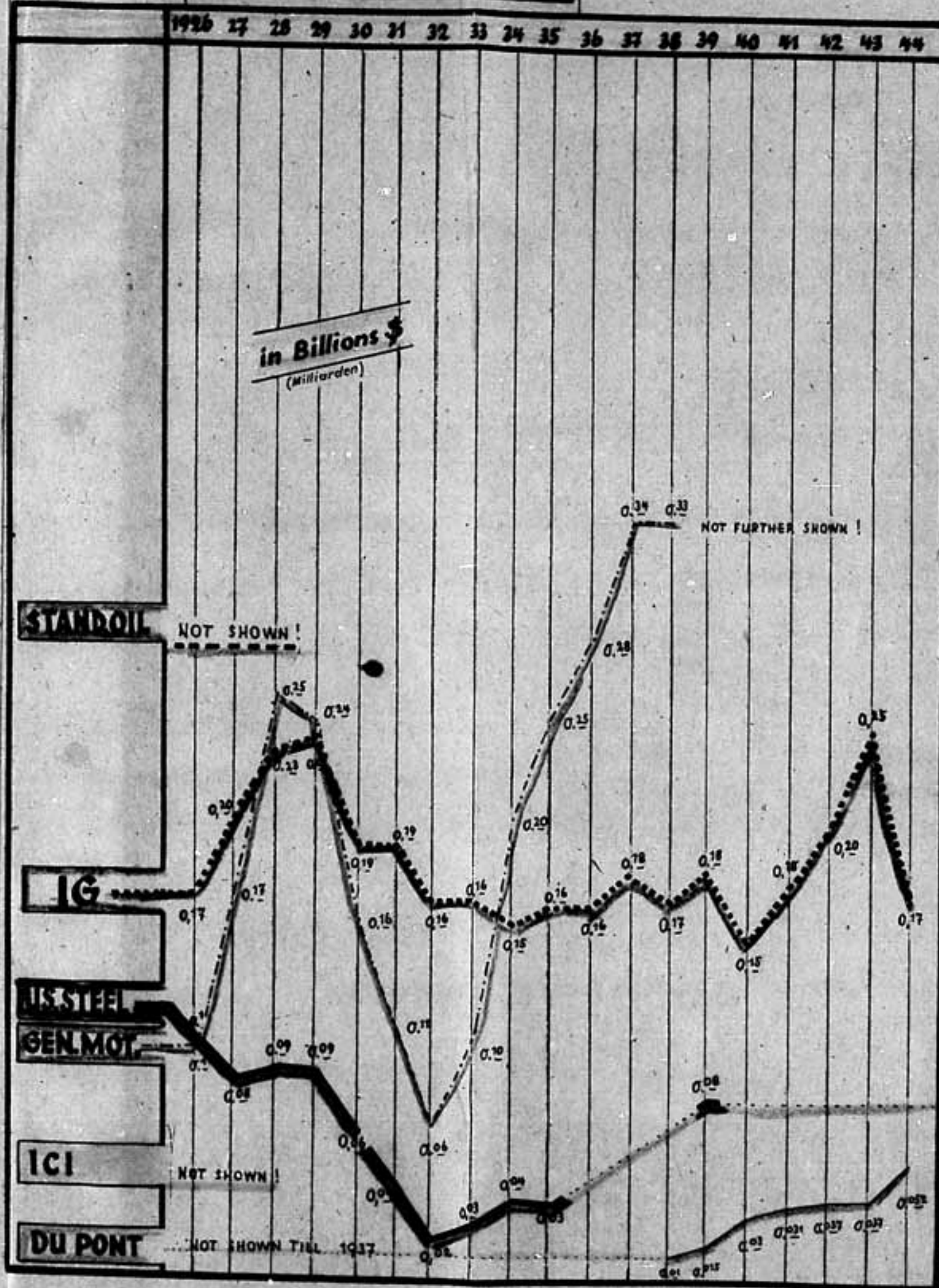


# COMPARISON

between JG and some  
US and BRITISH  
Companies

## EXPORT TURNOVER

## STAFF





Entwicklung des Nationaleinkommens 1929-1941

Jahr	U. S. A.		Deutsches Reich	
	(in Milliarden \$)	Veränderung in % gegenüber den Vorjahre	(in Milliarden RM) (= in Milliarden \$)	Veränderung in % gegenüber den Vorjahre
1929	80,7		76,1 (= 30,4)	
1930	68,3	- 15,36%	70,1 (= 28,0)	- 7,88%
1931	53,8	- 21,23%	57,1 (= 22,8)	- 18,54%
1932	40,0	- 25,65%	45,2 (= 18,1)	- 20,24%
1933	42,2	+ 5,50%	46,5 (= 18,6)	+ 2,87%
1934	50,0	+ 18,48%	52,7 (= 21,1)	+ 13,33%
1935	55,1	+ 10,20%	59,1 (= 23,6)	+ 12,14%
1936	63,7	+ 15,60%	65,8 (= 26,3)	+ 11,33%
1937	69,8	+ 9,57%	73,7 (= 29,5)	+ 12,00%
1938	67,4	- 3,43%	82,1 (= 32,8)	+ 11,39%
1939	77,5	+ 14,98%	89,8 (= 35,9)	+ 9,37%
1940	81,3	+ 4,90%	92,5 (= 37,0)	+ 3,00%
1941	103,8	+ 27,67%	97,8 (= 39,1)	+ 5,72%
<hr/>				
1941 gegenüber 1929		= + 28,62%	= + 28,51%	

Quellen:

fuer die Vereinigten Staaten: "Statistical Abstracts of USA",  
"Financial Statement" of General Motors Corp., March 31, 1939,



fuer das Deutsche Reich: "Konjunkturstatistisches Jahrbuch",  
1933, "Statistisches Jahrbuch des  
Deutschen Reiches",  
"Institut fuer Konjunkturforschung", 1939, Nr. 4.

-----

Ich, Dr. Erich P i w o w a r c z y k , Hamburg-Bergedorf, bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklaerung abgebe. Ich erkläre an Eides Statt, dass meine Aussage der Wehrheit entspricht, freiwillig und ohne Zwang erfolgt und gemacht wurde, um als Beweismaterial dem Militaergerichtshof Nr. VI im Justizpalast Nuernberg (Deutschland) vorgelegt zu werden.

Die Zahlen der vorstehenden Übersicht "Entwicklung des Nationaleinkommens 1929 - 1941" sind den vorstehend genannten Quellen entnommen und entsprechen vollständig und wahrheitsgemäss diesen Unterlagen.

Nuernberg, den 17. Maerz 1948.

Dr. Erich Piwowarczyk

Die vorstehende, von mir anerkannte eigenhaendige Unterschrift des Herrn Dr. Erich Piwowarczyk, Hamburg-Bergedorf, ist vor mir, Rechtsanwalt Friedrich Silcher, am 17. Maerz 1948 hierselbst geleistet, was hierrit beglaubigt und von mir bezeugt wird.

Nuernberg, den 17. Maerz 1948.

Friedrich Silcher

Die wortgetreue und richtige Abschrift des obigen Schriftstueckes, wird hierrit beglaubigt.

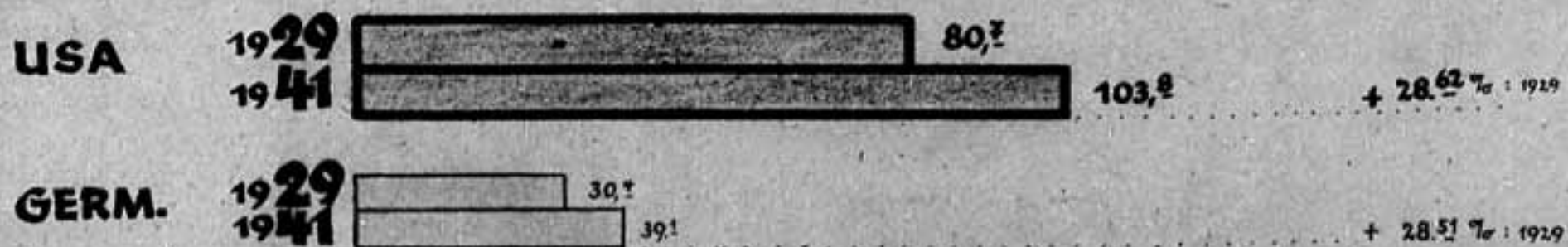
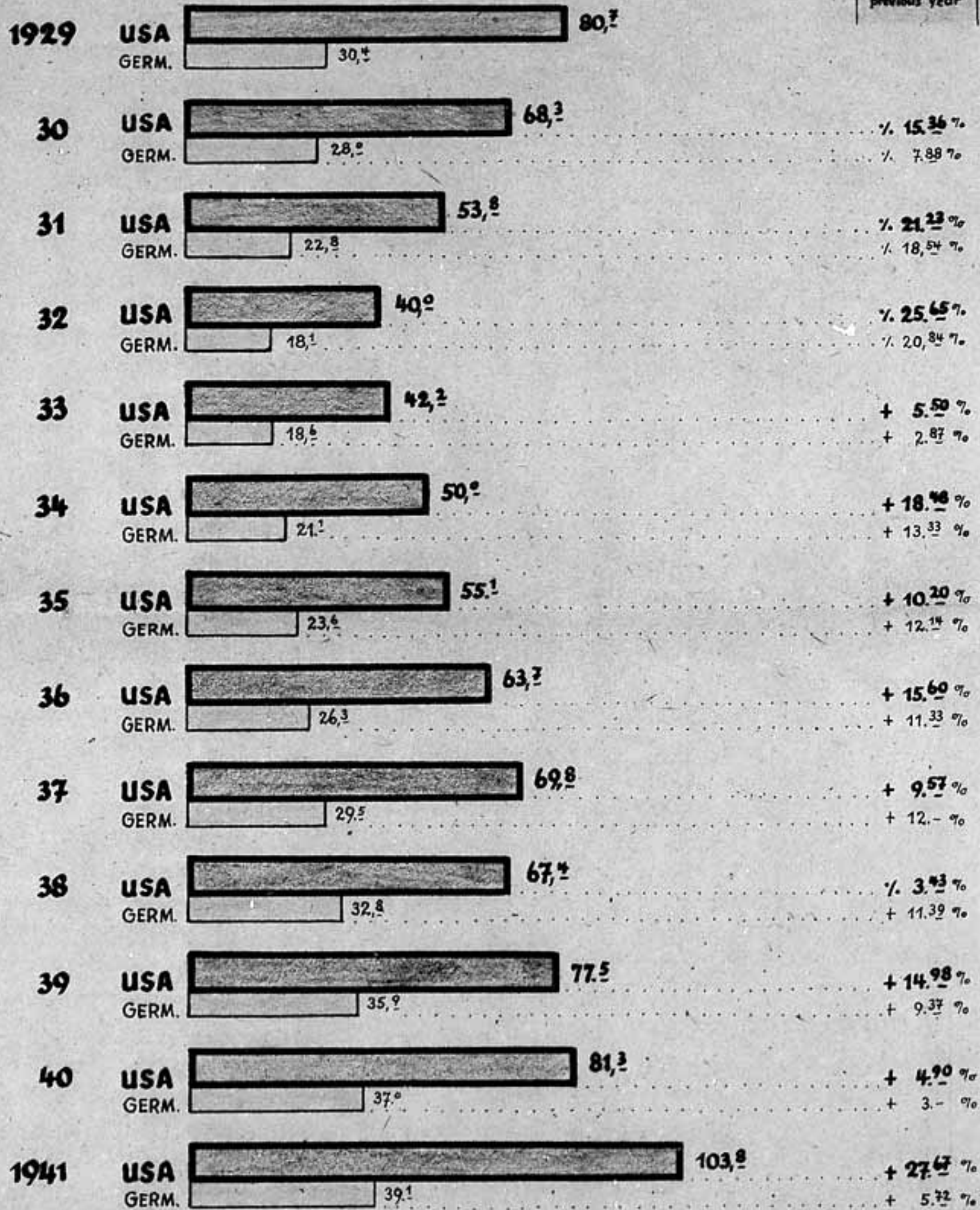
Friedrich Silcher  
Rechtsanwalt



DEVELOPMENT OF  
NATIONAL - INCOME  
USA  
GERMANY

in billions \$  
(2<sup>nd</sup> RM = 1 \$)

in percent  
against  
previous year





CASE No. 6 - TRIBUNAL VI

Defenses

Basic Information ( for all Defendants )

Document No. 25 is a model of a house.

# IG-Products in Housing and Building

1. Iporit — Light weight concrete stones, plates
2. Synthoporit — Light weight concrete stones, plates
3. D. K. Hüttenbims — Light weight building materials
4. Igecol — Binding agent for plates from wood chips, peat, straw
5. Iporit — Heat- and sound insulating floors
6. IG-Buntbrand — Metallic Salts for colored glazed tiles
7. IG-Buntbrand — Metallic Salts for colored roofing tiles
8. IG-Engoben — Metallic Salts for artificially-aged roofing tiles
9. Aristogen — Insulating coating against moisture
10. Asfluid J — Insulating coating against moisture
11. Aristogenmörtel — Waterproof mortar as horizontal insulation
12. Asplit — Acid-proof joint-material for tile floors
13. Membranit — Oilfree binding agent for paints
14. Kronos Titanweiß — White pigment for paints and lacquers
15. Lithopone — White pigment for paints and lacquers
16. Chromoxydgrün — Green pigment for paints, plaster, stoone-wood
17. Eisenoxydfarben — Pigments for building materials from concrete, for plaster, paints, linoleum, stoone-wood
18. Glutolinleim — Binding-agent for glue water colors and whitewash
19. Glutolin-Kleister — Glue for wallpaper
20. Kalle-Spachtelmasse — Waste paper for wallpaper
21. Oppanol-Folien — Foils for the caulking of flat roofs terraces, balconies, tiled walls
22. Locron — Fire protection agents for wood and textiles
23. Intravan — Fire protection agents for wood and textiles
24. Tutogen — Foam producer for fire extinguishers
25. Basilit — Wood protection agents against dry-rot
26. Antinonnin — Wood protection agents against fungus
27. Bicella — Wire glass for windows, hot-houses
28. Cohesan — Agglutinant for tiled walls
29. Kauritleim W — Strong-glue, plywood-glue
30. Feuerkitt Höchst — Self hardening fire clay for furnaces
31. Hydronalium-Metall — Light metal for construction fixtures
32. Atrament — Protective against rust
33. Vinidur — Piping material for water systems and sanitary systems
34. Igelit — Upholstery material for furniture
35. Indanthrenfarben — Fast colors for textiles
36. IG-Lackrohstoffe — Raw materials for furniture lacquers
37. Agfa-Kunstseide — Textile fabrics for curtains, wall draperies
38. Vistra XT — Textile fabrics for rugs and wall draperies
39. Syntholit — Gravel for street- and road construction
40. Dispersion Y — Binding agent for road surfaces
41. IG-Kunststoffe — Material for floor coverings
42. IG-Emaillfarbkörper — Enamels for sanitary systems
43. Leuna-Propangas — Cooking- and heating gas for kitchen and bath
44. Eulan — Mothproofing agent for textiles
45. Iporka — High-class insulating material for refrigerators



BASIC INFORMATION, DEFENSE  
VOL. II, Supplements I + II

Due to an error in the pagination, page number 54 is followed by  
page number 56 instead of number 55.



Case 6  
Defense

BASIC INFORMATION DEFENSE  
Suppl. I to Vol. II

Dok. Nr.	Exh. Nr.	Inhalt	Seite
24		I. Farbstoffe und Hilfsprodukte	52
		II. Schwerchemikalien	55
		III. Metalle	61
		IV. Stickstoff und Oele	64
		V. Kunststoffe, kuenstliche Fasern und ihre Rohstoffe	69
		VI. Photo	77
		VII. Pharmazeutika	78
		VIII. Schlussbemerkung	84

German



Eidesstattliche Erklaerung

Wir, die unterzeichneten technischen Vorstandsmitglieder der  
I.G. Farbenindustrie Aktiengesellschaft

- 1) Dr. Otto Ambros
- 2) Dr. Ernst Buergin
- 3) Dr. Heinrich Buetefisch
- 4) Dr. Fritz Gajewski
- 5) Prof. Dr. Heinrich Hoerlein
- 6) Prof. Dr. Carl Ludwig Lautenschlaeger
- 7) Dr. Fritz ter Meer
- 8) Dr. Carl Vurster

z.Zt. Nuernberg, sind darauf aufmerksam gemacht worden,  
dass wir uns strafbar machen, wenn wir eine falsche eides-  
stattliche Erklaerung abgeben. Wir erklaeren an Eidesstatt,  
dass unsere Aussage der Wahrheit entspricht und gemacht  
wurde, um als Beweismaterial dem Militaergerichtshof Nr. VI  
Justizpalast Nuernberg, Deutschland vorgelegt zu werden.

Die nachstehende von uns verfasste Ausarbeitung  
"Beispiele wissenschaftlicher und technischer Pionier-  
leistungen der I.G. Farbenindustrie Aktiengesellschaft"  
entspricht unserer besten Kenntnis, Erinnerung und Urteil,  
unterstuetzt durch Unterlagen.



Beispiele  
wissenschaftlicher und technischer Pionierleistungen

der  
I.G. Farbenindustrie Aktiengesellschaft

## I. FARBSTOFFE UND HILFSPRODUKTE

-----

Bis zur Mitte des achtzehnten Jahrhunderts kannte man nur natuerliche, meist dem Pflanzenreich entstammende Farbstoffe. Der englische Forscher Perkin erfand im Jahre 1856 den ersten kuenstlich hergestellten Farbstoff, das Mauvein. Diese Erfindung gab den Anstoss zur Gruendung von Teerfarben-Fabriken in England, Frankreich und Deutschland, die anfaenglich nach empirischen Methoden die ersten leuchtenden, aber meist recht unechten Anilin-Farben herstellten. So entstanden in Deutschland in den sechziger und Anfang der siebziger Jahre die meisten der Firmen, die sich im Jahre 1925 zur I.G. Farbenindustrie Aktiengesellschaft zusammenschlossen.

Die Entwicklung der Farbstoffindustrien in den beteiligten Laendern ging ganz verschiedene Wege. In Deutschland fuehrte sie zu einer Blutezeit der wissenschaftlichen Forschung im Gebiete der organisch-aromatischen Chemie und begruendete die Vormachtstellung der deutschen chemischen Industrie auf Jahrzehnte hinaus. Die Namen eines A.W. von Hoffmann, A. Kekule, A. von Bayer, E. Fischer sind fuer immer in die Annalen der organischen Chemie eingegangen.

Die enge Verbindung zwischen Wissenschaft und Industrie trug reiche Fruechte. Seit den siebziger Jahren bis zum ersten Weltkrieg floss ein unversiegllicher Strom neuer und immer besserer Farbstoffe aus den Laboratorien der deutschen Farbenfabriken. Sie eroberten den Weltmarkt. Nur die schweizer Fabriken hatten an diesen wissenschaftlichen, technischen und kaufmaennischen Erfolgen einen merklichen Anteil.



Als besondere Etappen dieser Entwicklungsperiode seien genannt:

Der Ausbau des Sortiments der eigentlichen Anilinfarben, die Synthese des Naturfarbstoffes der Krapp-Pflanze, des Alizerins, und die Erzeugung zahlreicher echter Alizerin-Buntfarben.

Der Aufbau vieler Hunderter von Azofarben, darunter der echten Schwarzfarbstoffe, die den Naturfarbstoff des Campeche-Holzes verdrängten, ausgehend vom Schwefelschwarz (Vidal, Frankreich) die Erfindung zahlreicher wertvoller Schwefelfarbstoffe, und schliesslich als die Krönung der Forschung: die Synthese des Naturfarbstoffes Indigo, des damals grössten Konsumfarbstoffes der Welt (Ludwigshafen 1897, Hoechst 1902).

Die nach dem ersten Weltkrieg allenthalben neu entstehende Konkurrenz zwang die I.G. zu verstärkter Forschung im Farbstoffgebiet. Zwecks Erhaltung ihres Exportgeschäftes wandte sie sich bewusst und betont der Förderung und Propagierung der neueren Echtfarbstoffe zu. Bereits vor dem Weltkriege hatte Ludwigshafen im Indanthrenblau (Bohn 1901) einen Farbstoff von bisher unerreichter Licht- und Waschechtheit entdeckt. Es folgten Farbstoffe gleicher Echtheit und Schönheit durch Arbeiten der Laboratorien in Ludwigshafen, Leverkusen und Mainkur. Dazu traten leuchtend schöne und echte Abkömmlinge des Thioindigos (Friedländer 1906) in Biebrich und Hoechst. Das Werk Offenbach erfand 1913 das Naphtol-AS Rot, einen hochechten, auf der Textilfaser selbst gebildeten Farbstoff. Diese Farbstoffgruppen wurden in den zwanziger Jahren systematisch zum sogenannten Indanthren-

Sortiment ausgebaut. Sie erfüllten die höchsten Ansprüche der Textilindustrie in Bezug auf Schönheit und Echtheit in Färbung und Zeugdruck. Gleichzeitig wurden besondere Sortimente zum Echtfärben von Leder und Papier, für den lithographischen Druck und die Tapetenindustrie, für Pelze, Gurmiwaren, für Autombillacke und Anstrichlacke geschaffen.

Hand in Hand mit der Entwicklung dieser neuen Farbstoffe stiegen die Anforderungen an die Herstellung neuer Zwischen-Produkte. Auch hier wurden ganz neue Wege beschritten, wie die Anwendung katalytischer Prozesse (Anilin, Anthrachinon, Phthalsäure), die Verwertung von Aliphaten, die Einführung von Fettsäureresten ins Farbstoffmolekül etc.

In den letzten Jahrzehnten brachte die Entwicklung der Textilindustrie fortwährend neue Probleme auf. Neben Baumwolle, Wolle und Naturseide trat in steigender Ausmasse die Kunstseide, die Kunstfaser und schliesslich die vollsynthetische Faser (PECE-Faser der I.G., Nylon Dupont).

Die Herstellung von Mischgeweben aus den verschiedenen Natur- und Kunstfasern trat mehr und mehr in den Vordergrund. Neben der Färbung setzte sich der moderne Zeugdruck in steigender Masse durch. Diese Entwicklung der Textilindustrie bedingte die Schaffung der sogenannten Textilhilfsmittel. Auch hier war die I.G. führend. Neuartige Netzmittel (Nekal), Waschmittel (Igepone, Cyclanon), Zusätze zu Textildruckpasten wurden entwickelt. Dazu kamen Bauchmittel, Zusätze zur Erhöhung der Wasch- und Lichtechtheit, Produkte zum dichten Wasserimprägnieren von Geweben und zum Mottenschutz von Wollstoffen (Eulan), sowie Appreturmittel und dergleichen.



Einige dieser Produkte eroberten ganz neue Anwendungsgebiete, so die modernen Feinwaschrittel zur Waschen empfindlicher Gewebe wie seidene Strümpfe, Wollswater und kunstseidenes Unterzeug. Diese Feinwaschrittel spielen heute im Haushalt eine bedeutende und von Jahr zu Jahr steigende Rolle.

Zur Gerbung von Häuten aller Art und zur Veredelung der gewonnenen Leder wurden synthetische Gerbstoffe, sowie synthetische Lederöle und Fette entwickelt.

## II. SCHWERCHEMIKALIEN.

Die Herstellung synthetischer Farbstoffe durch die Grunderfirmen der späteren I.G. Farbenindustrie Aktiengesellschaft in den ersten Jahrzehnten ihrer Entwicklung stellte auch der Technik der Herstellung anorganischer Produkte, der sogenannten Schwerchemikalien, ganz neue Aufgaben. In vielen Fällen war eine wirtschaftlichere Herstellung an und fuer sich bekannter Produkte oder die grosstechnische Herstellung neuer anorganischer Chemikalien ueberhaupt die Voraussetzung zur wirtschaftlichen und technischen Verwirklichung der Herstellung hochwertiger anorganischer Produkte, wie Farbstoffe, pharmazeutische Produkte, Kunststoffe und dergleichen.

Bei den Erfindungen und technischen Fortschritten bei der Herstellung dieser anorganischen Schwerchemikalien ist charakteristisch, dass die Entwicklung nicht nur in der Richtung immer grosserer und wirtschaftlicherer Erzeugungs-

mengen ging, sondern dass gleichzeitig mit der Verfeinerung der Methodenauch die Qualitaet, d.h. die Reinheit dieser Produkte immer mehr gesteigert und dadurch zur Qualitaet der Fertigprodukte eine wichtige Voraussetzung geschaffen werden konnte.

C h l o r , ein sehr reaktionsfaehiges gasfoermiges Produkt, das fuer die allerverschiedensten Zwecke in der chemischen Industrie benoetigt wird, wurde bis zu den achtziger Jahren des vergangenen Jahrhunderts nur nach einem rein chemischen Prozess in verhaeltnissaessig kleinen Mengen aus Steinsalz hergestellt. Nachdem wissenschaftliche Forschungsarbeiten ergeben hatten, dass man aus waessrigen Loesungen von Steinsalz unter dem Einfluss des elektrischen Stromes Chlor und Kaustische Soda (Aetznatron) gewinnen kann, entwickelte Griesheim Elektron (Ignatz Stroof) 1834 - 1838 eine neuartige technische Apparatur, die sogenannte Diaphragmazelle zur technischen Durchfuehrung dieses Prozesses. Nach diesem neuartigen Verfahren wurden Chlor und Alkali-Produkte in Griesheim und an vielen Stellen der Welt nach einem voellig neuartigen Fabrikationsprozess in technischen Masstab gewonnen. Magnetit als Anodenmaterial und Gegendruck beim Eindampfen der Alkalilaugen sind erstmalig bei diesem Verfahren zur Anwendung gelangt.

Eine universelle Anwendung von Chlor an beliebigen Verwendungsorten, z.B. zum Bleichen von Zellstoff, wurde erst moeglich, nachdem es gelungen war, das gasfoermige Chlor durch Mittel der Kompression und Kuehlung in eine transportable Fluessigkeit zu verwandeln. Rudolf Knietsch, Ludwigshafen, gelang es etwa 10 Jahre spaeter als ersten, fluessiges Chlor nach einem von ihm erfundenen Verfahren



in technischen Masstab zu gewinnen. Da Chlor ein sehr aggressives Gas ist, war mit dieser Pioniererfindung eine neue apparative Technik verbunden. Das Knietzsch'sche Verfahren, spaeter verbessert, fand in den folgenden Jahren und Jahrzehnten Eingang in die chemische Industrie der ganzen Welt und hunderttausende von Tonnen Chlor werden heute auf der Grundlage dieser Erfindung verfluessigt und transportiert.

Im Anschluss an die Erfindung von Stroof betaeuhtigten sich in der folgenden Zeit auch die Werke Hoechst, Leverkusen und Ludwigshafen mit bedeutsamen eigenen Beitrageen an der Weiterentwicklung der Verfahren zur Herstellung von Chlor und Alkalien nach dem elektrochemischen Verfahren; in den Jahren zwischen den beiden Weltkriegeen trugen die I.G. Werke zur Verbesserung des sogenannten Amalgam-Verfahrens mit massgeblichen technischen Beitrageen bei und erzeugten die Aetzalkalien unter Wegfall des fruher erforderlichen Eindampfungsprozesses in fruher unerreichter Reinheit und Konzentration. Aus der Industrie der Bleichmittel, der Loesungsmittel, Waschmittel, Farbstoffzwischenprodukte, Kunststoffe ist Chlor, aus der Industrie der Herstellung von Seifen, Farbstoffen, Textilhilfsmittel, Kunstseide, Zellwolle und vieler anderer Produkte ist Kaustische Soda (Aetznatron) ueberhaupt nicht mehr wegdenkbar.

Die Entwicklung der technischen Herstellung von Alkali-chloraten schloss sich an diese elektrochemischen Verfahren an (Griesheim, Bitterfeld).

Das wohl am universellsten verwendete Chemikal in der chemischen Industrie speziell, wie in der Industrie ueberhaupt,

ist Schwefelsäure. Bis in das letzte Jahrzehnt vor der Jahrhundertwende konnte Schwefelsäure nur in verdünnter Form durch Abrosten von Pyriten und Oxydation der entstehenden Schwefeldioxyd-haltigen Gase mit Salpetersäure gewonnen werden. Die so gewonnene Schwefelsäure war verhältnissmässig unrein und musste fuer bestimmte Verwendungszwecke durch besondere Verfahren gereinigt und konzentriert werden.

Wieder war es Anietsch in Ludwigshafen, der es Anfang der neunziger Jahre gelang, die Salpetersäure durch Katalysatoren (Platin, später Vanadinverbindungen) zu ersetzen und gleichzeitig in einem Arbeitsgang reine konzentrierte Schwefelsäure bzw. Oleum herzustellen. Er schuf mit dieser Pioniererfindung das Schwefelsäurekontaktverfahren eine der wichtigsten Voraussetzungen fuer die Durchfuehrung der Indigosynthese und unzählbarer anderer chemischer Prozesse. Durch Abgabe von Lizenzen wurden nach dem von ihm erfundenen und im Laufe der Jahre immer mehr verbesserten Verfahren allmählich in der ganzen Welt Schwefelsäurefabriken eingerichtet, in denen Millionen von Tonnen Säure jährlich nach seinem Verfahren hergestellt werden.

Die in der Welt bekannten Vorkommen an Pyrit sind begrenzt; auf der Suche nach der Verwendungsmöglichkeit von anderen Rohstoffen fand Kuehne, Leverkusen, 1918 ein neuartiges Verfahren, Schwefelsäure aus Gips in Gegenwart von Zuschlag von Ton herzustellen und gleichzeitig dabei einen vollwertigen Portlandzement zu gewinnen. Da Gips in fast unbeschränkter Menge in der Erdrinde vorhanden ist, kommt dem Verfahren, das sich in mehreren Ländern technisch eingefuehrt hat, eine grosse Bedeutung fuer die Zukunft zu.



Die erzeugte Schwefelsäure ist ebenso vollwertig wie die aus Schwefel oder Pyriten gewonnene.

Auf dem Gebiet der Schwefelchemie ist erwähnenswert noch die Herstellung von Natriumhydrosulfit aus schwefliger Säure und Natronlauge in Gegenwart von Reduktionsmitteln, die von Bazlen, Ludwigshafen, 1907, erfunden wurde.

Das Produkt dient in Form von Blankit und Rongalit als ein unentbehrliches Produkt in der Textilfärberei und als Bleichmittel.

Das unter anderem bei der Herstellung von den vielfach angewandten sogenannten Schwefelfarbstoffen und in der Gerberei sehr wichtige anorganische Produkt Schwefelnatrium wurde seit Jahrzehnten ausschliesslich durch Reduktion von Natriumsulfat mit Kohle gewonnen. Das Verfahren hat nicht nur den Nachteil, dass es diskontinuierlich und sehr unstaendlich in verschiedenen Arbeitsgängen arbeitet, sondern seine Durchführung ist mit recht erheblichen Belastigungen für die Bedienungsmannschaft verbunden.

Es gelang innerhalb der I.G. in den dreissiger Jahren dieses Jahrhunderts, Schwefelnatrium in hochkonzentrierter, für den Transport besonders geeigneter Form (sogenanntes Sulfingran) ~~zu~~ durch Reduktion mit Wasserstoff (Leverkuser) oder nach einem neuartigen elektrochemischen Verfahren in besonders reiner Form (Ludwigshafen) zu gewinnen. Beide Verfahren arbeiten kontinuierlich.

Ein wichtiges Produkt bei der Durchführung chemischer Synthesen, vor allem bei der Herstellung von Farbstoffen,

Kunststoffen und Schmierölen, ist wasserfreies Aluminiumchlorid, das früher nur durch Behandlung von metallischem Aluminium mit Chlor hergestellt wurde. Es gelang (C. Wurster, Ludwigshafen, 1927), nach einem wesentlich wirtschaftlicheren Verfahren, das in ganz neuartigen Apparaturen durchgeführt wird, aus aluminiumoxydhaltigen Rohstoffen unter Zuhilfenahme von Chlor und Kohlenoxyd wasserfreies Aluminiumchlorid herzustellen und so die Durchführung einer Reihe von Synthesen wirtschaftlich zu ermöglichen, die vor dieser Erfindung nicht möglich war.

Für die Industrie der Pyrotechnik, Feuerschmelzer, vor allem aber auch für die Herstellung von Waschmitteln, Reinigungsmitteln, Düngemitteln brachte die Herstellung von elementarem Phosphor und Phosphorsäure aus Phosphaten in grösstechnischem Massstab sehr bedeutsame Fortschritte (Pistor-Griesheim, 1900 und folgende Jahre). Sowohl in Deutschland als in USA (Monsanto) wurde der grösste Teil der Produktion dieser Produkte nach dem von der I.G. im Jahre 1927 in Piesteritz in modernster Form weiter entwickelten elektrothermischen Verfahren erzeugt.

Bei vielen technischen Prozessen der industriellen Chemie werden Hilfschemikalien benötigt, an denen im Laufe des Arbeitsganges in Form von Abgasen oder Abwässern beachtliche Verluste eintreten. Das gilt beispielsweise für Lösungsmittel, für Benzol in Kokereien und für viele andere Produkte. Die Herstellung von sogenannter Aktivkohle, an der sich solche Stoffe absorbieren und fast quantitativ wiedergewinnen lassen (Leverkusen 1920), bedeutete einen gewaltigen Fortschritt. In grosser Umfang wird auch Schwefel, der in den verschiedensten Gasen und Abgasen in starker



Verduennung enthalten ist, mit Hilfe von Aktivkohle gewonnen. Die Aktivkohle wird in der Hauptsache durch Erhitzen von Zellulose-haltigen Materialien in Abwesenheit von Luft und in besonders konstruierten Apparaturen durchgefuehrt.

Das sogenannte Alkazidverfahren ermoeeglichte spaeter (Ludwigshefen, Leuna 1930) die Gewinnung von Schwefel in groesster Masstab aus Gasgemischen durch Anwendung von Chemikalien in Loesungen, die als Absorptionsmittel dienten.

Aus dem weitlaeufigen Gebiet der anorganischen Chemie und aus den grundlegenden Beiträgen, die die Werke der I.G. Farbenindustrie Aktiengesellschaft zu der Entwicklung der Chemie beigetragen haben, sollen nur diese wenigen Beispiele, die in ihrer Verwirklichung von besonders weittragender Bedeutung sind, herausgegriffen werden.

### III. METALLE.

Mit der Herstellung von Metallen befassten sich die Werke der I.G. in der Hauptsache dann, wenn bei ihr gewonnene Erkenntnisse und Verfahrensmethoden sich auf die Gewinnung von Metallen, die normalerweise nach huettenmaennischen Prozessen hergestellt werden, uebertragen liessen.

Schon die unter dem Abschnitt "Schwerchemikalien" geschilderte Entwicklung elektrochemischer und elektrothermischer Verfahren zur Gewinnung von Chlor, Alkalien und Phosphorprodukten war abhaengig von der Entwicklung der Elektrotechnik (Erfindung der Dynamomaschine) und der Erzeugung elektrischer Energie. Zu den in der Folge dieser Erfindungen in

den klassischen Methoden der Forschung neu geschaffenen Verfahren, die heute auch ausserhalb Europas die Basis der Produktion bilden, gesellten sich auch elektrochemische Verfahren zur Herstellung von Metallen.

Der seit ca. 100 Jahren stark zunehmenden Bedarf an Metallen konnten Dank dieser Entwicklung in den letzten 50 Jahren zwei neue Metalle, die Leichtmetalle Aluminium und Magnesium zur Verfuegung gestellt werden.

Die Schaffung der Aluminium-Legierung Dural, eine deutsche Erfindung (1906), sicherte der Aluminium die breiteste Verbreitung als Konstruktionsmaterial, ebenso dem Magnesium die Erfindung der Legierung Elektron durch Griesheim im Jahre 1908.

In der kurzen Zeit ihrer Anwendung haben diese Metalle in der Welt trotz ihrer verhaeltnismaessig hohen Preise und komplizierten Herstellung dank ihres niedrigen spezifischen Gewichtes und ihrer leichten Bearbeitbarkeit gewichtsmässig bereits 2 %, volumenmässig betrachtet bereits 6 % der Eisenerzeugung erreicht. Abgesehen von dem ins Auge springenden Vorteil des leichten Gewichtes und damit der Vermeidung der sogenannten toten Last bei Konstruktionen aller Art, besonders im Fahrzeugbau, laesst sich die Bedeutung dieser Leichtmetalle auch fuer eine fernste Zukunft durch den Hinweis auf die Weltsituation fuer die Ausgangsmaterialien fuer diese Metalle zeigen.

Die fuer die Herstellung von Aluminium und Magnesium erforderlichen Rohstoffe finden sich in grosser Verbreitung



auf der ganzen Erde und speziell fuer das Magnesium ist Meerwasser eine im wahren Sinne des Wortes unerschöpfliche Rohstoffquelle ganz im Gegensatz zur Rohstofflage bei Eisen und allen anderen Schwermetallen.

Bis 1919 war die deutsche Aluminiumproduktion gresstenteils durch Griesheim und die Metallgesellschaft A.G. ~~erzeugt~~ <sup>erzeugt</sup> worden, ging aber nach dem ersten Weltkrieg infolge der damals einsetzenden Sozialisierungsmassnahmen an den Staat ueber.

Die grosstechnische Erzeugung von Magnesium, das noch 1/3 leichter als Aluminium ist, wurde von Pistor und seinen Mitarbeitern, Griesheim, ausgearbeitet und im Laufe der Jahre nicht nur in den Fabriken der I.G. betrieben, sondern nach demselben Verfahren auch in gressten Anlagen in England, Frankreich und den USA. Die technische Durchbildung der Synthese von Stickstoffprodukten nach dem Hochdruckverfahren gab der Chemie der Metalle Eisen und Nickel ganz neue Anregungen. Nach einem sehr originellen Verfahren werden diese beiden Metalle aus ihren Rohstoffen durch Einwirkung von Kohlenoxyd unter Hochdruck zuerst in fluessige Carbonylverbindungen verwandelt. Bei erhoehten Temperaturen lassen sich diese Verbindungen wieder zersetzen und man gewinnt sehr reines Eisen oder sehr reines Nickel in sehr feiner Verteilung. (Ludwigshafen: A. Mittesch und L. Schlecht 1928).

Die Metalle eignen sich in dieser Form besonders zu Spezialzwecken in der Elektrotechnik, in der Radiotechnik sowie fuer Spezial-Legierungen.

Als drittes Beispiel einer Uebertragung chemischer Erkenntnisse auf die Gewinnung von Metallen soll die von verschiedenen Stammwerken der I.G. gegruendete Duisburger Kupferhuetten, Duisburg, angefuehrt werden. In diesem Betrieb werden aus Rueckstaenden der Schwefelsaeurefabrikation aus Pyriten nach rein chemischen Methoden alle Metalle gewonnen, die in diesen Rueckstaenden an und fuer sich nur in ganz geringen Mengen enthalten sind und nach dem klassischen huettenmaennischen Verfahren gar nicht erfasst werden koennen. So erzeugt dieser Betrieb neben Eisen vor allem Kupfer, Zink, Kobalt, Blei, Wismut, Silber und sogar Gold und verarbeitet Rohstoffe aus den verschiedensten Laendern Europas.

Die staendige Befruchtung durch die wissenschaftlichen und technischen Erkenntnisse in den verschiedensten I.G. Werken, deren sich die Duisburger Kupferhuetten laufend bedienen konnte, hat diese Entwicklung moeglich gemacht und die Duisburger Kupferhuetten zu einer einzigartigen und zu der groessten "Erz-Reinigungs-Anstalt" von ganz Europa gemacht, die auch heute bereits wieder diese ihre Aufgabe erfuehlt und vom Ausland schon wieder fuer diese Zwecke mitbenutzt wird und in stetem Ausbau begriffen ist.

#### IV. STICKSTOFF UND OELE.

An die grossen anorganischen Synthesen schlossen sich weitere bedeutsame Gebiete an.

- 1) Auf verschiedenen Wegen hatte man in der Welt versucht, den Luftstickstoff chemisch zu binden, um ihn in geeignete



ter Form dem Boden als Wachstumsstoff zuzufuehren. Um das Jahr 1890 entstanden die ersten Kalkstickstofffabriken und nach 1900 versuchten die norwegischen Forscher Birkeland-Lyde sowie die Badische Anilin - und Sodafabrik durch Schoenherr und Hessberger (1903) im elektrischen Lichtbogen den Stickstoff an Sauerstoff zu binden. Das erste Verfahren lieferte Stickstoff fuer die Landwirtschaft nur fuer beschraenkte Anwendungsformen, das zweite Verfahren konnte technisch nicht befriedigen.

Fuer ein neues Verfahren wurde der Weg gewiesen. Er wurde nicht erfunden, sondern zunachst errechnet. Nach physikalisch-chemischen Gesetzmassigkeiten, die als neue Erkenntnisse um die Jahrhundertwende von Prof. Nernst entwickelt waren, sagte Prof. Haber voraus, dass es moeglich sein muesste, Stickstoff und Wasserstoff zu Ammoniak zu vereinigen. Allerdings war eine wirtschaftliche Auswertung dieser Erkenntnis nur moeglich, wenn man bei hohen Drucken und erhoehten Temperaturen arbeitete.

Prof. Bosch ~~in~~ nahm dieses schwierige Problem mit seinen Mitarbeitern <sup>in Ludwigshafen</sup> in Angriff. Im Jahre 1913 konnte dort die erste commercial plant zur Erzeugung von Ammoniak aus Stickstoff und Wasserstoff unter Hochdruck in Betrieb genommen werden.

Damit war eine welthewegende Pionierleistung auf chemischen Gebiet durch die I.G. geschaffen, die erste Hochdrucksynthese. Sie erforderte neuartige Maschinen und Behaelter aus wasserstoff-fester Stahl, neue Messinstrumente und neuartige Kontakte. Chemiker und Ingenieure der I.G. haben dieses Problem gemeistert, sodass der Begriff der

Hochdrucksynthese heute aus der chemischen Technologie nicht mehr fortzudenken ist.

Die Ammoniaksynthese nach Haber-Bosch hat bald, teilweise in modifizierter Form, in der Welt Eingang gefunden, so dass heute mehrere Millionen Tonnen Ammoniak nach diesem Verfahren gewonnen werden. Ammoniak ist als Düngemittel für die Pflanze nicht direkt verwertbar. In einfacher Weise kann es mit Schwefelsäure in das Düngemittel Ammonsulfat verwandelt werden. Hier leistete nun die I.G. mit ihren Technikern weitere Pionierarbeit, indem sie auf ihren landwirtschaftlichen Versuchsstationen chemisch aus Ammoniak neuartige Düngemittel entwickelte, die den verschiedensten Kulturen, Böden - und Klimaverhältnissen Rechnung trugen.

So wurden in den Werken der I.G. Oppau und Leuna in den Jahren 1920 bis 1936 durch Forschung und Entwicklung folgende Düngemittel der Landwirtschaft zugeführt:

- 1) Ammonsulfatsalpeter,
- 2) Kalksalpeter
- 3) Kalkammonsalpeter
- 4) Nitrophoska, Kalknitrophoska, Hakephos

und als weiteres Produkt Harnstoff, der synthetisch aus Ammoniak und Kohlensäure unter Hochdruck zuerst in Ludwigshafen/Oppau im Jahre 1922 durch Bosch und Meiser gewonnen werden konnte.

Herstellungsart und Formgebung dieser neuartigen Düngemittel wurden der I.G. in unzähligen Patenten geschützt und an die ganze Welt lizenziert.

Die billige Herstellung von synthetischer Stickstoff schuf



auch neue Verwendungsmöglichkeiten auf technischem Gebiet. Der erwähnte Harnstoff fand Eingang in die Kunststoffindustrie. Mit flüssigen Ammoniak wurde eine neue Kälteindustrie entwickelt. Ammoncarbonat, Ammonchlorid, Salpetersäure, Ammonphosphat und andere Derivate fanden in der gesamten Technik weitgehende Anwendung.

Zur Herstellung von Salpetersäure aus Ammoniak wurden ~~in~~ <sup>in</sup> Ludwigshafen neuartige Verfahren mit besonderen Katalysatoren entwickelt (Wild Mittasch 1915).

2. Schon im Jahre 1923 wurde in Oppau ein zweites Hochdrucksyntheseverfahren erfunden. Hier fand nach früheren Patenten von Schneider, dass sich Kohlenoxyd und Wasserstoff unter hohen Drucken mit besonderen Katalysatoren zu Methanol umsetzen lässt. Diese Synthese wurde in Leuna technisch durchentwickelt (1925). Ihre Bedeutung einschliesslich der Erzeugung höherer Alkohole ist an anderer Stelle beschrieben. Bemerkenswert ist die Tatsache, dass die Hochdrucksynthese damit Eingang fand in das Feld der organischen Chemie. Methanol wurde in grossem Umfang der Lieferant von Vorprodukten fuer die Kunststoffindustrie.

Interessant hierbei ist, dass die beiden neuen Hochdruck-Synthesen Harnstoff und Methanol das neue Gebiet der Harnstoff-Formaldehyd-Kunststoffe in grossem Ausmass erschlossen.

3. Eine dritte weltwirtschaftlich bedeutende Neuerung brachte die Anwendung der Hochdrucksynthese auf der Gebiet der Mineraloelindustrie.

Prof. Bergius war von dem Gedanken ausgegangen, Wasser-

stoff unter Druck an Kohle anzulagern, um fluessige Kohlenwasserstoffe zu gewinnen. Prof. Bosch griff dieses Problem 1923 in erweiterter Zielsetzung auf, indem er sich die Aufgabe stellte, alle schweren Kohlenwasserstoffe, die in grossen Mengen in der Form von schweren Erdoelen, Braun- und Steinkohlen in der Erde vorhanden waren, fuer die Wirtschaft in marktfaeuhige Mineraloele umzuwandeln.

In zaehrer Arbeit gelang es ihm und seinen zahlreichen Mitarbeitern (Arauch, Pier u. andere), dieses Problem unter Anwendung der Erfahrungen auf dem Gebiete der Hochdrucktechnik zu meistern und eine technische Anlage in Leuna zu entwickeln (Schneider - Bueteffisch u.a. 1926). Das als Benzinhydrierung, Benzinsynthese oder Kohleverfluessigung bekannte Verfahren wurde besonders auch fuer die Anwendung in der Erdoelindustrie durch Vertraege mit der Standard Oil (USA) im Jahre 1929 der ganzen Welt zugaenglich gemacht. In Zuge dieses Verfahrens gelang es, mit dieser Hochdrucksynthese Spezial-Benzine, Gasoele und Schmieroele besonderer Art herzustellen und wesentlich neue Erkenntnisse auf dem Gebiet der Anwendung von Katalysatoren zu gewinnen sowie neue Baustoffe fuer die Hochdrucksynthese zu entwickeln.

Die neue Hochdrucksynthese auf dem Mineraloelgebiet gab Anregung zu weiteren technischen Aufgaben.

So wurde im Jahre 1931 in Oppau (Mueller - Cunradi) der Weg gefunden, aus dem in der Alkohol-Hochdrucksynthese hergestellten Isobutylalkohol in weiteren Hochdruckprozessen ueber Katalysatoren Isooktan, einen hochwertigen Fliegertreibstoff, herzustellen. Die letzte Stufe dieses



Verfahrens wurde ebenfalls in Amerika angewandt, um aus Raffinerieabgasen Isooktan zu produzieren.

Die mit der Mineralölgebiet zusammenhängenden neuen Synthesen auf dem Schmierölsektor, die von der I.G. (Leuna) entwickelt wurden, sind im Zusammenhang mit den Kunststoffen und ihren Vorprodukten aufgeführt.

In das Feld dieser neuen Synthesen gehören auch die grossen Entwicklungsarbeiten, die auf dem Gebiet der Gas-erzeugung liegen und von der I.G. in den Jahren von 1926 an in breitem Umfange in Angriff genommen wurden.

Als wichtigste Erfindung durch die I.G. sei nur hervorgehoben die Vergasung von Staubkohle mit Sauerstoff angereicherter Luft im Flussbett (Ludwigshafen, Fritz Winkler 1920); ein Verfahren, das in weitem Umfange in der Welt fuer die Synthesen von Ammoniak, Methanol und Kohlenwasserstoffen (Hydrierung und Fischer-Tropsch-Verfahren) Anwendung gefunden hat zur Erzeugung von Synthesegasen. Ebenso wurden neue Gasreinigungsverfahren entwickelt, welche die Gewinnung grosser Mengen Schwefel aus der Kohle ermöglichen.

#### V. Kunststoffe, kuenstliche Fasern und ihre Rohstoffe

##### 1. Kunststoffe und kuenstliche Fasern.

Die Synthese der organischen Farbstoffe leitete den Abschnitt der organischen Chemie ein, der die Aufklärung der Konstitution von Naturstoffen und deren kuenstliche Erzeugung zum Ziele hatte. Diese Arbeitsrichtung

setzte sich auf dem pharmazeutischen Gebiet fort und erlebte zuletzt in der Synthese des Kautschuks und vieler Kunststoffe einen bedeutenden technischen Erfolg.

Schon im letzten Jahrhundert versuchten englische Forscher die Zusammenhänge zwischen dem inneren Aufbau des Kautschukmoleküls und den bekannten Eigenschaften dieses elastischen Stoffes zu ergründen. Um 1910 begannen dann in verschiedenen Ländern die chemisch-technischen Arbeiten der Kautschuk-Synthese, aber es war ein schwieriges Problem, diesen so billigen Naturstoff wirtschaftlich zu erzeugen. Um bestehen zu können, musste nicht nur ein günstiger Gestehungspreis erreicht werden, sondern es war vor allem entscheidend, die wertvollen Eigenschaften des Kautschuks auch im synthetischen Produkt zu bekommen.

In Weltkrieg I wurde dieses Ziel mit dem Methyl-Kautschuk (Leverkusen 1916) nicht erreicht. Daher begannen die Arbeiten auf einer anderen, neuen Basis in den Jahren zwischen 1920 und 1930, und zwar in den I.G. Werken Hoechst, Ludwigshafen/Oppau und Leverkusen. Jedes Laboratorium dieser Fabriken übernahm die Ausarbeitung eines Abschnittes dieser Synthese und Anfangs 1930 hat sich durch den Weg des "Vierstufenverfahrens" gezeigt, wie man auf wirtschaftliche Weise zum künstlichen Kautschuk kommen kann. In der neuen Methode der Mischpolymerisation unter den biologischen Bedingungen in Emulsform<sup>ions</sup> war es gelungen, eine Reihe verschiedener synthetischer Kautschuksorten zu erzeugen, wovon der Reifenkautschuk Buna S aus Butadien und Styrol und der oelfeste Kautschuk Perbunan aus Butadien und Acrylnitril zu den wichtigsten Typen zählen (Konrad, Leverkusen 1928). Sie sind die Marken, die auch in USA als Spitzen-



produkte hergestellt wurden, da sie sich auf Grund gemeinsamer Anwendungsversuche am besten bewährt haben. Im Jahre 1934 begann die Ausarbeitung des Verfahrens im technischen Masstab und ab 1935 die Ueberführung in die Grosstechnik (Ambros, Ludwigshafen).

Die I.G. uebertrug diese Forschung der Kautschuk-Synthese auch auf andere Ausgangsstoffe und schuf damit Werkstoffe mit Sondereigenschaften, die wiederum neue Verwendunggebiete erschlossen.

So nahm <sup>Dr.</sup>Mueller-Gunrad und Otto 1929 in Wuppau statt dem obigen Butadien das Isobutylen und polymerisierten es bei tiefen Temperaturen zu einem gummiaehnlichen Stoff von hoher Chemikalienresistenz, der auf Spezialgebieten den Kautschuk verdrängte. In Erinnerung an den Ort der Erfindung heisst dieser wertvolle Stoff in Deutschland "Oppanol". Er fand in USA Eingang als Kunststoff unter dem Namen "Vistanex" und in einer verwandten Type als "Paratone" zur Verbesserung der Viscositaet von Schmieroelen.

Auf gleichem Gebiet liegt das "Parafflow", das aus Paraffin mit Naphthalin condensiert wird und den Stockpunkt von Schmieroelen reguliert.

Ein glasklares Material von hohen elektrischen Eigenschaften stellt das Polystyrol dar, dessen Herstellung im Jahre 1929 von C. Wulff in Ludwigshafen ausgearbeitet und seitdem in allen Kulturstaaten eingefuehrt wurde.

Ein anderer plastischer Kunststoff, der in ausserordentlich vielen Zweigen wegen seiner gummiaehnlichen Eigen-

schaften und seiner Billigkeit Eingang fand, ist das Polyvinylchlorid, das Rolle schon im Jahre 1908 in I.G. Griesheim - Elektron aufgefunden hat. Neben den Bakeliten überferte das Polyvinylchlorid oder Igelit, wie es auch bezeichnet wird, die grösste Verbreitung gefunden haben.

Aus Polyvinylchlorid werden auf Grund der thermoplastischen Eigenschaften Konstruktionsteile wie Rohre, Fittings u.s.w. gespritzt und gepresst und Folien gewalzt. Mit Weichmachern erhält man elastisch-weiche Massen, die als Bodenbelag, künstliche Leder und Streichmassen in der ganzen Welt eingeführt wurden (Wick, Bitterfeld 1934)

Ein wertvolles Derivat fand I.G. Griesheim im Jahre 1926 durch Behandeln des Polyvinylchlorids mit Chlor. Darit erhält man den wertvollen Lackrohstoff PE CE, der sich verspinnen lässt, wie es I.G. Wolffen-Film 1929 fand und daher die erste vollsynthetische Faser, die PE CE - Faser schuf.

Eine weitere Gruppe anderer Acetylderivate fand W. Reppe in Ludwigshafen im Jahre 1930, die sich als Vinyläther oder Izevine, Luvican, Oppanol C u.a. in der Klebstoff-, Spritzguss- und Isoliertechnik einführten. Unter dem Begriff "Reppe-Chemie" versteht man neue wertvolle Synthesen, die alle aus den 30er Jahren, ja sogar aus der unruhigen Zeit des 2. Weltkrieges stammen. Mit rein wissenschaftlicher Zielsetzung erschloss W. Reppe mit seinen Mitarbeitern ganz neue Wege der Umwandlung von Acetylen zu bisher fast unbekannten Stoffen. Mit Formaldehyd kam er 1937 zum Butandiol und daraus zu einer neuen Buna - Synthese. Ein anderer Weg führte nicht zur Buna, sondern zu einer



neuen Synthese von "Nylon aus Kalk und Kohle" !

Mit Kohlenoxyd und Alkoholen bekommt Reppe aus Acetylen die wertvollen Acrylester, deren Synthese fuer hochwertige Lacke bisher teuer und umstaendlich war.

Aus Blausaure und Acetylen synthetisierte Otto Lauer in Leverkusen 1938 das Acrylnitril, die oben genannte Komponente fuer Perbunan fuer den oelfesten Gummischlauch.

Aus Acetylen allein, aber mit neuartigen Methoden, schuf W.Reppe 1943 zuletzt im Krieg das Cyclo-octatetraen, einen chemischen Stoff, der bisher im Schrank des Chemikers sehr selten war und nunmehr wohl ein Neuland interessanter Chemie eroeffnen wird.

Die amerikanischen Erfolge auf dem Nylongebiet regten natuerlich auch die deutsche Chemie an, eigene Wege zu gehen. In den Polyurethenen erschloss Otto Lauer in Leverkusen 1937 eine Koerperklasse, die zu grossen Hoffnungen berechtigt. Entweder verspinnt man diese Stoffe, so bekommt man Seide, Faser (Perlon U) oder wertvolle Borsten. Man kann aber auch plastische Massen machen, die sehr leicht sind und trotzdem hohe Festigkeit haben. Diese Stoffe haben starke Klebewirkung und uebertreffen darin alle Leime (Polystel) als Schaurmassen (Moltoaren) isolieren sie. Zuletzt gelang es, eine elastische Masse zu gewinnen und damit eine neue Dunatype neben die anderen Dunasorten zu stellen.

In Zusammenhang mit dieser modernen Faserchemie ist noch die Erfindung des Cellit von Elberfeld, und zwar von Eichengruen aus dem Jahre 1905 zu nennen, die besonders

in USA zu grossen Erfolgen fuhrte. Es ist naheliegend, dass auch die I.G. Werke bei der Entwicklung der Viskose-Seide fruehzeitig eingriffen. Die erste Zellwolle, die also im Gegensatz zum endlosen Faden der Kunstseide als Stapelfaser wie Wolle oder Baumwolle verarbeitet wird, geht auf Arbeiten von I.G. Rottweil zurueck. Die spaeteren Varianten wie Vistra, Cuprena und Lanusa stammen von den I.G. Werken Wolfen, Leverkusen und Ludwigshafen.

Es ist wohl verstaendlich, dass die neue Technik des synthetischen Kautschuks und der vielen Kunststoffe auch benachbarte Arbeitsgebiete der Chemie befruchtete. Mit den Arbeiten ueber Methylkautschuk erschloss Hoffmann 1916 in Elberfeld das Feld der Vulkanisationsbeschleuniger und Alterungsschutzmittel, ohne die man sich die Technik auch des natuerlichen Gummis heute nicht mehr vorstellen kann.

Die Verarbeitung der Kunststoffe auf plastisch-elastische Massen erforderte neue Weichmacher, die von allen I.G. Werken entwickelt und auf den Markt gebracht wurden -. So wurden die I.G.-Werke auf der Gebiet der Kunststoffe zu Pionieren. Viele Fortschritte der Technik, besonders der Elektrotechnik, waeren nicht eingetreten, haetten die Chemie und besonders die I.G. nicht die neuen Kunststoffe dazu geschaffen.

## 2. Die Rohstoffe

Um dieses weite Gebiet des kuenstlichen Kautschuks, der Kunststoffe und der kuenstlichen Fasern industriell auszubauen, musste eine neue Rohstoff-Basis entwickelt und geschaffen werden. Es ist fuer die moderne Chemie aller Laender



kennzeichnend, dass auf das Zeitalter der Benzol-Chemie nach der Weltkrieg I eine besondere Entwicklung der aliphatischen Chemie, der Derivate

des Kohlenoxyds,  
des Aethylens und  
des Acetylens

folgte. Bestimmend wirkte sich dabei die natuerliche Rohstofflage der Laender aus, indem z.B. in USA oder Russland die Erdolindustrie die Entwicklung steuerte, waehrend im rohstoffarmen Deutschland das Acetylen und das Kohlenoxyd zur kuenstlichen Rohstoff-Basis wurden. Beide Richtungen beeinflussten und befruchteten sich gegenseitig. Im Folgenden sollen nur einige Marksteine der deutschen Entwicklung gezeigt werden, wie sie von den I.G. Werken gesetzt wurden:

Es war der Chemiker Gruenstein in Griesheim, der 1916 Acetylen in Acetaldehyd und Essigsaeure ueberfuehrte.

Damit erschloss er in Zusammenarbeit mit I.G. Hoechst und vor allem mit <sup>der</sup> I.G. befreundeten Chemiefirma Dr. Alexander Wacker in Burghausen das Gebiet der modernen Lackloesungsmittel, des Essigsaeureanhydrids fuer das Celluloseacetat und vieler Pharmazeutika und Farbstoffe.

Bei der Bedeutung des Acetylens fuer diese deutsche Entwicklung war es naheliegend, dass neben der Carbid-synthese auch eine neue Basis entwickelt wurde, welche die Abrase der Lenzin-Synthesen verwertete. Es handelt sich dabei um die Crackung von Kohlenwasserstoffen im elektrischen Lichtbogen. Ludwigshafen betrieb diese Technik ab 1929 und errichtete die erste Versuchsanlage im Anschluss

an die Raffinerie Baton Rouge in Louisiana.

Ein zweiter Ast leitet sich vom Kohlenoxyd ab und fuhrt zum Methanol durch die katalytische Hochdrucksynthese, wie sie von Ludwigshafen in den Jahren nach der 1. Weltkrieg entwickelt wurde. Durch Variationen in der Zusammensetzung des Kontaktes eroffnete sich die Moeglichkeit, alle Alkohole aus Kohle zu synthetisieren und damit das bisherige Bild der aliphatischen Rohstoffe umzugestalten (Leuna 1938). Die Auswirkungen liegen auf der Kunststoff-, Lack- und Loesungsmittelgebiet und vielen Synthesen der Zwischenprodukten-Chemie. Es sei nur auf das Methylformiat verwiesen, das die Wurzel fuer Formamid und damit fuer eine neue Synthese von Cyanverbindungen geworden ist (Ludwigshafen 1925). Mit dem synthetischen Methanol weitete sich zwangslaeufig das Gebiet des Formaldehydes aus, was sich bei den Kunststoffen, synthetischen Gerbstoffen und auf einem Sondergebiet des synthetischen Leines (Kaurit, Oppau 1928) besonders auswirkte.

Als die Chemie auch zu den komplizierten hoeheren Molekuelen wie Paraffinen und Wachsen fuehrte, da gelang es den I.G.-Chemikern, durch neuartige Prozesse der Paraffin-Oxydation (Ludwigshafen 1921) zu Fettsaeuren fuer Seifen, Textilhilfsmitteln, Weichmachern zu kommen. Durch sinnvolles Verbinden mit anderen Komponenten entstanden wertvolle Wachse von der Qualitaet des Carnauba- und Bienenwachses, den sogenannten I.G. Wachsen (Ludwigshafen 1928). An diese Chemie schliessen sich neue Forschungen synthetischer Schmiermittel an, wie sie zuletzt von Ludwigshafen und Leuna gefunden wurden. Ein starker Zweig moderner Chemie baut sich auf dem Aethylen auf, das in USA und UdSSR bei den Crack-



prozessen angeht. Deutschland fehlt diese Basis und so musste die Synthese neue Wege gehen, was vor allem durch die partielle Hydrierung des Acetylens von Ludwigshafen im Jahre 1938 gelöst wurde.

Spitzenleistungen führten sowohl in Deutschland wie in USA zu entscheidenden Erfolgen. Die I.G. brachte das Aethylenschlorid und als Derivate des Äthylenoxydes und Äthanolamines hochwertige Wasch- und Textilhilfsmittel, die unter den Namen Isapon, Soroline und andere Weltruf bekamen.

Auch hier brachte der ruhelose Forschungsbetrieb der I.G.-Werke in interner Idealkonkurrenz der I.G.-Laboratorien neue Stoffe, die helfen sollten, alle Mängel des rohstoffarmen Deutschland zu überwinden. In diese Reihe gehört als letztes Produkt das im Jahre 1939 erfundene Mersol. Leuna hat in Anlehnung an das "Reed"-Verfahren geeignete Kohlenwasserstoffe der Fischer-Synthese "sulfochloriert" und diesen Prozess photochemisch so gesteuert, dass ein vollwertiges Waschmittel der Markt gegeben werden konnte.

## VI. PHOTO.

Die Filmkunst, seit ihren Bestehen auf die Bildwiedergabe in Schwarzweißtechnik beschränkt, hat mit der Erfindung des Agfa-Color-Verfahrens die Sehnsucht aller Filmkünstler sowie der Menschheit erfüllt, nämlich die Eroberung und Beherrschung der Farbe.

Dieses Verfahren wurde, auf Versuchen von Rudolf Fischer beruhend, in den Laboratorien der Agfa entwickelt (1937).

War bei den bisherigen Methoden die Farbenbilderzeugung ein mehr oder weniger physikalisches bzw. apparatives Problem, so wurde die Loesung beim Agfacolor-Verfahren auf rein chemischen Wege erzielt.

Hierdurch wurde erreicht, dass sich das Verfahren zwanglos an die bis dahin im Schwarzweissfilm herausgebildeten Verhaeltnisse einfuegte, so dass keine Spezial-Apparaturen im Atelier, Kino-Theater oder beim Amateur erforderlich waren.

Das Agfacolor-Verfahren ermoeeglichte es erstmalig, in einfachem Arbeitsprozesse farbige Bilder auf Film oder Papier zu erzeugen.

#### VII. PHARMAZEUTIKA.

##### Sera, Vaccine, Schaedlingsbekaempfungsmittel

Forschung und Produktion wurde durchgefuehrt in den Werken und Laboratorien der I.G. in

Elberfeld/ Leverkusen-Rhein

Hoechst am Main

Marburg/ Lahn

Synthetische Heilmittel, biologische Produkte, Sera und Vaccine und Schaedlingsbekaempfungsmittel wurden in diesen Werken erzeugt als das Ergebnis enger Zusammenarbeit von Chemikern, Pharmakologen, Bakteriologen und Physiologen. Die Bayer-Produkte unter dem Warenzeichen "Layer-Kreuz" waren in der ganzen Welt bekannt.



1. Chemisch-synthetische Produkte und Biologische Heilmittel

a) Auf dem Gebiet der Antipyretica entstand 1834 in

Hoechst das Antipyrin (Knorr) und 1863 in

Elberfeld das Phenacetin (C. Luisberg, Ainsberg).

Mit diesen beiden g r u n d l e g e n d e n Erfindungen  
nahm die moderne Arzneimittelsynthese der Welt ihren  
Anfang. Im Zuge der weiteren Entwicklung kamen 1893  
Pyramidon heraus (Hoechst, Fr. Stolz) und 1898 Aspirin  
(Elberfeld).

Diese beiden Produkte haben sich zu Standardpräparaten  
in der Therapie entwickelt; sie dienen zur peroralen  
Darreichung bei allen fieberhaften Erkrankungen und  
Schmerzzuständen und entzündlichen Prozessen. Aus der  
umfangreichen Liste der Bayer-Antipyretica sei hier nur  
noch auf das injizierbare Novalin hingewiesen (Hoechst  
Bockmühl, Windisch).

b) Eine besondere Gruppe stellen die Salvarsan-Produkte

dar. Diese ~~synthetischen organischen Arsen-haltigen~~ <sup>syn</sup> Heil-  
mittel war der erste grosse Erfolg der Chemotherapie.  
Es wurde herausgebracht 1910 durch Hoechst (P. Ehrlich).  
Es ist immer noch d a s Mittel der Wahl bei Syphilis  
und Framboesie.

Dank der Erfindung des Salvarsans ist die Seuche der  
Syphilis in vielen Ländern der Welt allmählich dazu  
bestimmt, eine sterbende Krankheit zu werden !

Einige Jahre später folgten verbesserte Derivate:

Neosalvarsan (Hoechst 1912) und Myosalvarsan (Hoechst 1926  
Streitwolf, Fehrlé, Lautenschläger).

c) Gruppe der Tropenpraeparate:

Die Bayerlaboratorien haben es stets als ihre vornehmste Aufgabe angesehen, im Kampf gegen die Tropenkrankheiten ihre Forschung anzusetzen, und es gelang ihnen auch, eine Reihe von wichtigen Praeparaten den Aerzten der Welt zur Verfuegung zu stellen. Es sind Erfindungen und Entdeckungen, welche heute nicht mehr fortzudenken sind und mit deren Hilfe viele Millionen Menschen in den Tropengebieten schon bewahrt wurden, unendlich viel mehr Millionen Menschen aber in Zukunft noch vor dem Seuchentode der Malaria, der Schlafkrankheit, der Bilharzia, der Leishmaniosis (Kala Azar) gerettet werden koennen..

Erwaehnt seien hier:

Germanin (Bayer 205) (Elberfeld, Heymann, Dressel, Kothe, Roehl 1915) gegen die afrikanische Schlafkrankheit

Plasmochin (Elberfeld, Schulerann, Roehl 1926)

Atebrin (Elberfeld, Mauss, Mietsch, Kikuth 1932.)

Wissenschaftler von Elberfeld entdeckten neue Klassen von Substanzen mit ausgezeichneter Wirksamkeit gegen Malaria-Parasiten. Ungefuehr 1/3 der ganzen Menschheit leidet an Malaria - lange Zeit war Chinin das einzige gebrauchliche Heilmittel, das aber oft ernste Nachwirkungen hatte.

Thadin (Elberfeld, H.Schmidt 1926) gegen die aegyptische Wurm-Krankheit (Bilharzie) und

Neostibosan (Elberfeld, H.Schmidt 1928) gegen tropische Leishmaniosis (kala azar).

d) Gruppe der Schlafmittel

Veronal (Elberfeld, E. Fischer und Mehring 1903)  
Mit diesem aeltesten Vertreter der Barbitursaeure-Schlafmittel begann eine neue Aera in der Therapie der Schlaflosigkeit.



Luminal (Elberfeld, H. Hoerlein 1912). Dieses mit Veronal verwandte Heilmittel zeigt starke Wirksamkeit gegen Epilepsie.

Phanodorm (Elberfeld, Schulzmann, Meisenburg 1925)

Evipan (Elberfeld 1932)

e) Gruppe der Narcotica fuer chirurgische Narkose und Localanaesthesia

Das erste synthetische Local-Anaesthetikum unter Vermeidung der giftigen Eigenschaften des Kokains:

Anaesthesin (Hoechst, Ritsert um 1900)

Novocain (Hoechst, Einhorn 1906)

Pantocain (Hoechst, Bockmuhl, Eisleb, Lautenschlaeger 1930)

Ein neues Local-Anaesthetikum, das das giftige Kokain in seiner intensiven anaesthetisierenden Wirkung wesentlich uebertrifft.

Evipan-Natrium (Elberfeld 1932). Fuer intravenoese Kurznarkose.

Dolantin (Hoechst, Eisleb 1939). Ein synthetisches Heilmittel von grosser pharmakologischer Bedeutung als das erste Produkt mit schmerzstillenden Eigenschaften aehnlich denen des Morphiums, verbunden mit krampfloesender Wirkung wie des Papaverins.

Amidon (Hoechst, Bockmuhl, Erhardt, Scheumann, Lautenschlaeger 1943). Amidon stellt einen neuen grossen Fortschritt dar. Es wirkt 10mal staerker als Morphin, fuehrt aber, ebenso wie Dolantin, nicht zur Sucht. Das hoechste Amidon ist bereits in den USA ein fuehrendes schmerzstillendes Mittel geworden, unter den Namen Midon, Dolphin, Adaron und Methaden.

f) Gruppe der Hormonpraeparate

Hormone sind im Leben von gresster Wichtigkeit, sie wirken als Regler des Stoffwechsels und werden durch Bruesen ausgeschieden.

Hypophysin (Hoechst ungefaehr 1910). Von der Hypophyse.

Suprarenin (Hoechst, Fr. Stolz 1904). In Fortgang zu dem in Toronto (Canada) durch Banting und Best aufgefundenen Insulin (Hormon der Bauchspeicheldruese) wurde das genuine Insulin (Nativ-Insulin) als

Depot-Insulin (Hoechst, Lautenschlaeger, Lindner, Schumann 1930) entwickelt, ferner ein Leberpraeparat

Campolon (Elberfeld 1933).

a) Gruppe der Vitamin-Präparate

Auf diesem besonderen Gebiet der Biochemie fuhrte Elberfeld die Forschungen an Vitamin B und D durch.

Betaxin (Elberfeld, Andersag und Westphal 1935) synthetisches antineuritisches Vitamin B<sub>1</sub> gegen Beri-Beri-Krankheit und Neuritis.

Vicantol (Elberfeld, Vindeus und Linsert 1932) Therapie und Prophylaxe der Rachitis

b) Gruppe der Sulfonamide

Prontosil Mit der Erfindung des (Elberfeld, Mietsch, Klarer, Domack 1932) wurde der Grundstein gelegt fuer weitere chemo-therapeutische Heilmittel gegen bakterielle Infektionen, bei oraler Anwendung. An der Auffindung weiterer Praeparate in der Gruppe der Sulfonamide beteiligten sich viele Laender der Welt (Sulfapyridine, Sulfathiazol, Sulfapyrimidin). Auch die Bayer-IG-Laboratorien brachten weitere Produkte in dieser Reihe heraus, so das

Uliron und Neouliron (Elberfeld, Mietsch, Klarer, Domack 1937)

Tibatin (Elberfeld 1939). Eine besondere Stellung nimmt das

Marfanil (Elberfeld, Klarer 1941) ein, gegen Anaerobier-Infektionen.

2. Sera und Vaccine

Nur durch ein Abkommen zwischen den fruheren Farbwerken Meister, Lucius und Bruening Hoechst und Prof. Emil von Behring, einem der beruehmtesten Mikroben-Jaeger, war dieser in der Lage, sein Werk der Immunitaetsforschung auf breiter Grundlage durchzufuehren (1892). Zwei Jahre spaeter wurde in Hoechst eine spezielle Abteilung fuer die Erzeugung von Sera und Vaccine gegruendet. Die hauptsaechlichen Laboratorien und Erzeugungssaatzen sind Marburg und Hoechst.



Anwendung: Bekämpfung von

- 1) Diphtherie,
- 2) Starrkrampf, (tetanus)
- 3) Gasbrand,
- 4) Botulismus,
- 5) Milzbrand,
- 6) und andere Krankheiten.

### 3) Schadlingsbekämpfungsmittel

Die Zunahme der landwirtschaftlichen Erzeugung in dem letzten halben Jahrhundert hing ab von der Anwendung künstlicher Düngung, Züchtung und Schädlingsbekämpfung. In den Bayer-Laboratorien begann die Arbeit an Schädlingsbekämpfungsmitteln 1913.

Uspulun (Elberfeld 1915) Saatbeizmittel auf organischer Basis und

Trillant (Hoechst 1921).

Ceresan (Elberfeld 1929) ist eine Verbesserung von Uspulun; es wird im trockenen Zustand angewandt und besitzt einen universalen Rahmen als Saatbeizmittel.

Eulen (Leverkusen, Stöetler 1922) ist ein Mottenschutzmittel von unschätzbbarer Wichtigkeit in Hinsicht auf den grossen Schaden, der an Wollestoffen durch Motten verursacht wird.

Als ein Schädlingsbekämpfungsmittel fuer Wein- und Obstbau sei erwahnt  
Nirosan (Hoechst, Pfaff 1925).

In dieser sehr zusammengedraengten Aufstellung sind nur die wichtigsten der insgesamt ueber 700 Produkte der Bayer-Laboratorien auf dem Gebiete der Chemotherapie, Biologischen Produkte, Sera und Impfstoffe, Pflanzenschutz- und Schädlingsbekämpfungsmittel aufgefuehrt. Ueber diese Forschungsgebiete hinaus befassten sich die Bayer-Laboratorien noch mit der Auffindung von veterinaer- medizinischen Produkten, zahnaerztlichen Erzeugnissen und bakteriologischen Farbstoffen.

### VIII. Schlussbemerkung.

Von den zahllosen internationalen Anerkennungen und Ehrungen, die der Arbeit der I.G. zuteil wurden, soll<sup>m</sup> in diesem Zusammenhang die folgenden erwähnt werden:

Auf der Weltausstellung 1937 in Paris erhielt die I.G.

9 Grand Prix fuer ihre folgenden Produkte und Verfahren:

- 1) Indanthren-Farbstoffe
- 2) Prontosil, das auf Seite 82 erwachte Sulfonamid
- 3) Kohleverfluessigung (Benzinsynthese)
- 4) Buna, der synthetische Kautschuk
- 5) Vistra-Faser
- 6) Cellophan, das Zelluloseprodukt der befreundeten Firma Kalle & Co, Wiesbaden-Biebrich
- 7) Hydronalium, eine Leichtmetalllegierung
- 8) Eulan, das auf Seite 83 erwachte Mottenschutzmittel
- 9) Agfa Color Neu, der Farbfilm und Agfa Schmalfilmgeraete.

Zweimal erhielten Wissenschaftler der I.G. fuer ihre im Rahmen der I.G. durchgefuehrten Arbeiten den Nobelpreis fuer Chemie:

Prof. Dr. Carl Bosch (zusammen mit Prof. Dr. Bergius)  
fuer die Kohleverfluessigung  
(Benzinsynthese)

Prof. Dr. Gerhard Domagk fuer die Entdeckung der  
Sulfonamide.

Nuernberg, den 30. April 1948



Otto Ambros

Ernst Luergin

Heinrich Buetefisch

Fritz Gajewski

Heinrich Hoerlein

Carl Ludwig Lautenschlaeger

Fritz ter Meer

Carl Wurster

Die vorstehenden vor mir anerkannten eigenhaendigen  
Unterschriften wurden vor mir hierselbst geleistet,  
was ich hiermit beglaubige und bezeuge.

Nuernberg, den 30. April 1948

Friedrich Silcher  
Rechtsanwalt

Im deutschen Dokument Nr. 24 der Basic Information Defense  
sind folgende Änderungen zu beachten:

Seite 55 Zeile 6 v. unten statt "anorganischer" "organischer"

" 56 " 2 statt "Methode" "Methoden"

" 59 " 7/6 v. unten statt "Sulfrigan" "Sulfigran"

" 63 " 7 statt "erreicht" "erzeugt"

" 63 " 15 hinter U.S.A. neuer Absatz

" 65 " 10 v. unten "von der I.G." ist zu streichen

" 65 " 11 " " Mitarbeitern "in Ludwigshafen"

" 65 " 11 " " konnte "dort"

" 67 " 7/8 statt "bei der I.G." "in Ludwigshafen"

" 79 " 11/12 v. unten statt "Dieses synthetische organische Arsen-haltige Heilmittel war"  
"Diese synthetischen organischen Arsen-haltigen Heilmittel waren"

" 91 " 2 v. unten "Pankreas" ist zu streichen



*Defense*  
*Case 6*  
*1*

Basic Information defense  
Lok. Nr. 27  
Suppl. II to Volume II

Eidesstattliche Erklrung

Ich, Georg B e l z aus Leverkusen, bin darauf aufmerksam gemacht worden, dass ich mich strafbar mache, wenn ich eine falsche eidesstattliche Erklrung abgebe. Ich erklre an Eidesstatt, dass meine Aussage der Wahrheit entspricht und gemacht wurde, um als Beweismaterial dem Militeergerichtshof Nr. VI Justizpalast Nuernberg/Deutschland vorgelegt zu werden.

Ich bin Fachmann auf dem Gebiet bildlicher und graphischer Darstellung statistischer Tatsachen.

Mir liegen folgende Bnde des Verteidigungsmaterials im Fall VI vor dem Militeergerichtshof Nr. VI in Nuernberg vor:

Basic information of defense Band II  
Dr. von Knieriem Band V

Die in diesen beiden Buechern enthaltenen Schaubilder sind von mir bzw. nach meinen Anweisungen angefertigt worden. Sie stellen die betreffenden statistischen Tatsachen, die sie zeigen sollen, nach fachmaennischen Grundsuetzen richtig dar. Im einzelnen entsprechen folgende Schaubilder folgenden Dokumenten:

- 1) Basic information of defense Band II  
Schaubild Dok. Nr. 5 S. 9 entspricht dem Dokument Nr. 4 Seite 6 bis 8  
  
Schaubild Dok. Nr. 7 S. 13 entspricht dem Dokument 6 Seite 10 bis 17  
  
Schaubild Dok. Nr. 10 S. 31 entspricht dem Dokument 9 Seite 21 bis 30.  
  
Schaubilder Lok. Nr. 16 <sup>S. 40</sup> entsprechen den Dokumenten 12 bis 15 S. 32 bis 39  
  
Schaubilder Lok. Nr. 18 S. 45 entsprechen dem Dokument Nr. 17 S. 41 bis 44 b  
  
Schaubild Lok. Nr. 20 S. 43 entspricht dem Lok. Nr. 19 S. 46/47
- 2) Dr. von Knieriem Band V  
Dokument Nr. 37 S. 313 beruht auf folgenden Dokumenten: Dr. von Knieriem Lok. Nr. 36 Band V S. 311, Basic Information Defense Lok. Nr. 6 Band II S. 10 ff, Basic Information Defense Nr. 17 Band II S. 41 ff

Nuernberg, den 5. Mai 1948

Georg Belz

*Germa*



Die vorstehende, von mir anerkannte eigenhändige Unterschrift des Herrn Georg Belz, Leverkusen, ist vor mir, Rechtsanwalt Friedrich Silcher, geleistet, was hiermit beglaubigt und von mir bezeugt wird.

Nuernberg, den 5. Mai 1948

Friedrich Silcher  
Rechtsanwalt



NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 98

Target 3

Joint Motion of the Prosecution and Defense  
To Correct the English Document Books of  
the Defense

(English)

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

CASE 6 - TRIBUNAL VI

DEFENSE

JOINT MOTION OF THE PROSECUTION AND  
DEFENSE TO CORRECT ENGLISH DOCUMENT  
BOOKS OF THE DEFENSE

for the Defendants Hoerlein,  
von Knieriem, Gattineau, Oster, Buerger  
and DEGESCH I.

English





UNITED STATES MILITARY TRIBUNAL VI  
SITTING IN THE PALACE OF JUSTICE, NURNBERG, GERMANY  
22 JULY 1948

THE UNITED STATES OF AMERICA :  
- vs. - :  
CARL KRAUCH, et al., :  
Defendants. :

Case No. 6

ORDER

The Prosecution and the Defense have joined in a joint motion to make certain corrections in the official mimeographed copies of the English document books of the Defendants Hoerlein, von Knieriem, Gattineau, Oster and Buergin, and in Defense Document Book DEGESCH I, which said motion is in the nature of a stipulation and is dated 9 July 1948.

The Tribunal hereby approves said stipulation and the corrections contained therein are ordered to be made.

s/ CURTIS G. SHAKE  
Presiding Judge

s/ PAUL M. HEBERT  
Judge

s/ JAMES MORRIS  
Judge

Dated this 22nd day of July 1948

Certified true copy:

*Barbara Skinner Mandellaub*  
Barbara Skinner Mandellaub  
Chief Court Archivist



Military Tribunals

Nurnberg, Germany

UNITED STATES OF AMERICA

against

Krauch and others (Case VI)

FILED 1700

20 July 1948

Secretary General  
for Military Tribunals  
Nurnberg, Germany

JOINT MOTION OF THE PROSECUTION AND  
DEFENSE TO CORRECT DOCUMENT BOOKS OF  
THE DEFENSE

The Prosecution and Defense herewith join in moving that the Tribunal order forthwith that the corrections indicated below be made in the official mimeographed copies of the English document books:

Document Book Hoerlein I

- p. 3, l. 8 "importance" should be "significance"
- p. 5, l. 25 Insert "some of" at beginning of line
- p. 6, l. 3 "Konfektionierungs-works" should be "last finishing works"
- l. 14 last word of line should be "committees"
- l. 16, 17, 26 "group" should be "committee"
- l. 23 "groups" should be "committees"
- l. 24 "for" should be "of"

Document Book Hoerlein VI

- Index p.I, Exh. 73, l. 9 and 22  
"experimenting physician" should be "physician in charge"
- Index p.III, Exh. 150, l. 11  
"Rose" should be "typhus"
- p. 15, l. 1 place period after "businessman" and begin new sentence with "From"



Document Book Knieriem I

Index p.I, line 2

"organization of the Legal Section of I.G."  
should be "organizational set-up of I.G. in  
the legal field"

1. 7, 15, 16, 17

"legal section" should be "legal department"

1.27

"contracts made by the Central Office" should be  
"contracts kept by the Central Office"

p. 1, 1. 11 "Legal Section" should be "Legal Department"

p. 2, 1. 1,3,5,9,22

"Legal Sections" should be "Legal Departments"

p. 2, 1. 6,5 "independent" should be "on their own  
responsibility"

1. 10 "routine work" should be "field of work"

p. 3, 1. 3 "company matters" should be "matters regarding  
corporation law"

1. 8 "granting and writing up loans and such things"  
should be "flooting of loans and drafting of  
loan agreements etc."

1. 15 "individual companies" should be "individual  
legal departments"

1. 17 "contradictions" should be "as to their  
compatibility"

p. 4, 1. 3 Insert "(Spartenfuhrer)" after "branches"

p. 4, 1.17, 20

"Legal Section" should be "Legal Department"

Document Book Knieriem II

p. 72, 1.27,28 change lines to read "In its meaning article 23,  
paragraph 5, of the Patent Law of 1891 covered  
the same subject as the above mentioned para-  
graph, except for

p. 74, 1. 33 "invention" should be "inventor"

p. 75, 1. 32 "baecuse" should be "insofar as"

p. 111, l. 3 change line to read "drawings or other objects which are to be kept secret in the interest of national"

p. 112, l. 20 "unauthorized" should be "authorized"

Document Book Number IV

Index p. II, l. 5/6

"industrial legal protection" should be  
"legal protection of industrial property"

p. 239, l. 1/2 "Legal trading rights and copyright" should be  
"Legal protection of industrial property and  
copyright"

l. 4, 9, 10 as above

l. 40 "copyrights" should be "protected rights"

p. 240, l. 23 "work patent" should be "world patent"

l. 28/29 "legal trading rights" should be "legal  
protection of industrial property"

p. 241, l. 7 change line to read "however, the patent  
office was to base its decision on the"

l. 42 "very emphatically" should be "so much"

p. 242, l. 10 delete "certain"

l. 19 "would" should be "a world"

l. 36/37 change lines to read "make certain changes;  
our German patent system may not be ideal  
down to the last detail, but it is certainly  
practicable and has been tried out"

l. 41 "patent rights" should be "patent law"

p. 244, l. 23 "designs and trade marks" should be "designs  
(Gebrauchsmuster)"

l. 46 "concerning securities bearing fixed interests"  
should be "concerning obligations"

p. 245, l. 15 "essential" should be "influential"

l. 18 "and not very definite" should be "and not  
so much as definite"



- p. 246, l. 1, 3, 19  
"Industrial Interests" should be "Industrial Property"
1. 10 "conferring patents" should be "granting patents"
- 1.13/14 "European substantive patent rights" should be "European substantive patent law"
- p. 247, l. 8 "control of patents in Europe" should be "regulation of an European patent system"
1. 36 change line to read "one should look at these matters in a dynamic, not in a static, way"
- 1.39/40 "when these creative people are imposing" should read "were the protection of these creative people would impose"
- p. 248, l. 18 "production rights" should be "processing patents"
1. 31 "correct" should be "advisable"
1. 39 "rather than patent rights" should be "to proper reason of patent system"
- p. 249, l. 1 "conferring should be "granting"
- 1.3, 6 "industrial interests" should be "industrial property"
- p. 250, l. 29 change line to read "hand, these countries which after the war are more in favor of exclusive administration"
- p. 251, l. 26 "similiar" should be "similar"
- p. 252, l.16,18 "Industry" should be "Industrial Property"
1. 16 "intellectual production" should be "intellectual creation"
- p. 253, l.3,16 "industry" should be "industrial property"
- p. 254 l. 5 "intellectual production" should be "intellectual creation"
- 1.6,13,23 "industry" should be "industrial property"
1. 23 delete last word "his"

- p. 255, l. 9 "intellectual production" should be "intellectual creation"
- 1.11, 16, 17 "industry" should be "industrial property"
1. 22/23 "could be established only after surmounting" should be "required also the surmounting of"
- p. 256, l. 1 "patent rights" should be "patent systems"
1. 2/14 "industry" should be "industrial property"
1. 14 "autocratic pressure" should be "autarchy measures"
- p. 257, l. 4 "industry" should be "industrial property"
- p. 259, l. 6 "which he would" should be "which he should"
1. 16, "interrogation" should be "interrogations" and delete "yet"
- 1.29/30 change lines to read "a discussion about the questions raised during the interrogations as to whether the I.G. had worked out so-called mobilization-"
1. 43 change line to read "1945 about which he had spoken already with Knieriem at that time. At the same"
- p. 260, l. 21 "to force him to do so" should be "to exercise any pressure upon him"
1. 17 "these drafts showed" should be "these drafts expressed"
- 1.22/23 change line 22 through "made" in line 23 to read "thus the letter dated March 30 was sent to Fiat without any accompanying correction made by Schmitz."
1. 23 insert "later" after "asked"
- p. 261, l. 4 "partnerships agreement" should be "Charter"
- p. 262, l. 10 delete "now"
1. 28 "partnership's" should be "participation"
- p. 263, l. 2 "products" should be "plants"



- p. 263, l. 10 "termination" should be "conclusion" and  
"assistants" should be "associates"
- l. 17 "financial statements" should be "balance sheets"
- l. 21 "company agreement" should be "charter"
- l. 23/24 change lines to read: "all general and important  
matters beyond the range of the current business"
- p. 267, l. 24 change line to read "The Chairman of the  
Vorstand or Working Committee respectively, as  
the case may"
- p. 269, l. 5 "extant" should be "existent"

Document Book Knieriem V

- p. 292, l. 18 "financial report" should be "annual balance  
sheet"
- p. 294, l. 1/2 "Vorstand members" should be "personalities"
- l. 15 "just causes" should be "important reasons"
- p. 295, l. 4 "their own" should be "their full and exclusive"
- last word "This" should be "The"
- p. 297, l. 19 "managers" should be "plant leaders"
- "as a rule" should be "regularly"
- p. 298, l. 12 "easy" should be "easier"
- p. 302, l. 10/12 change lines from "none" in line 10 through  
"body" in line 12 to read: "in no case their  
business to trouble about what he was doing in  
his particular domain without submitting it to the  
Vorstand body"
- l. 24 insert "English p. 155 ff" after "134/135"
- l. 21 insert "English p. 126" after "107"
- l. 25 delete second word "the"
- p. 303, l. 4 insert "would have" after "member"
- l. 19 insert "according to the well established  
formula: 'men not measures'" after last word  
"respect"

- p. 305, l. 2 "boards" should be "sub-committees"
1. 18 "afternoon" should be "late in the afternoon"

<sup>with</sup>  
Supplement book ~~to~~ <sup>documents</sup> ~~books~~ 39, 40, 41

- p. 3, l. 35 "sign" should be "act"
- p. 4, l. 28, 31, 44, 46  
"orders of business" should be "by-laws",  
"for" should be "of"
- p. 5, l. 5, 45 "sign" should be "act"
- p. 5, l. 38, 40  
p. 6, l. 7, 10, 13, 24, 52 } "orders of business" should be  
p. 7, l. 5, 6 } "by-laws")  
p. 8, l. 20 }
- p. 7, l. 16 "research" should be "activity"

Document Book Gattineau I

- P. 1, l. 12 "in his quest" should be "in his search"
- p. 49, l. 18 ~~18~~ "political economy" should be "economic policy"

Document Book Gattineau II

- p. 33, l. 30 "from 5% - 10%" should be "from 5‰ to 10‰"
- p. 34, l. 1 "10%" should be "10‰"
1. 4 "5%" should be "5‰"

Document Book Gattineau III

- p. 9, l. 17 "public relations department" should be "press office"
- p. 10, l. 3 "public relation man" should be "press office man"
- p. 14, l. 13 "his political views" should be "these political views"
- p. 47, l. 5 "KA" should be "ZA"
- p. 56, l. 11 "in the agency" should be "in the Vermittlungsstelle W"
- p. 60, l. 16, 20 "the commercial office" should be "office for trade policy"



Document Book Gattineau IV

Index p. IX, 1.16 "shops steward" should be "Betriebsobmann"  
p. 47, 1. 8, 9, 19

Document Book Gattineau V +

p. 32, 1. 1 insert "wool" after "cellulose"  
p. 43, 1. 2, 5  
p. 46, 1. 3 delete "NSDAP factory officials"  
p. 53, 1. 6 "I do not remember a single case when Dr.  
Gattineau as former personnel chief did not  
help" should read "As former personnel chief,  
I do not remember a single case when Dr.  
Gattineau did not help"

Document Book Oster I

Index p.II, document 8, 1. 4, 7 and document 10, 1. 4  
"shop steward's council" should be "confidential  
council (Vertrauensrat)"  
p. 1, 1. 13 "financial breakdown" should be "set-up"  
p. 8, 1. 26 "general manager" should be "manager of the  
Syndicate"  
p. 17, 1. 4 first word "Syndicate" should be "Industry"  
p. 17a, 1. 22,24 "plant" should be "enterprise"  
1. 26 "plants" should be "enterprises"  
p. 28, 1. 9 insert "Dr.Oster" after last word "propose"  
1. 7, 9,12,14,15,17,20,21,25,28  
"shop steward council" should be "confidential  
council (Vertrauensrat)"  
p. 43, 1. 13 "derotion" should be "devotion"  
p. 45, 1.4,14,19 "request of loans" and "loans" should be  
"credit applications"

Document Book Oster II

Index p.III, document 41, 1. 2  
"agent" should be "representative"

- Index p.V, doc. 52, l. 2  
insert "1943" after "August"
- p. 22, l.22/23 "calcium nitrate" should be "calcium cyanamide"
- p. 26, l.18/19 "Nitrate" should be "Nitrogen"
- l. 30 "taxes" should be "quotas"  
"nitrate" should be "nitrogen"
- p. 27, l. 8 "Nitrate Plan" should be "Nitrogen Plant"
- l. 13 "Nitrate" should be "Nitrogen"

Document Book DEGESCH I

- Index p. I, l.18 "silicious marl" should be "siliceous marl"
- p.II, l.26 first word "director" should be "manager"
- l.27 insert "actually" after last word I.G."
- p.III, l.12 "14 April 1943" should be "14 April 1934"
- p.IV, l.9/11 change sentence to read "which is to represent the partners in execution of their partnership rights"
- l.21 "von Reyder" should be "von Heyder"
- p. 2, l. 22 "fossil dust" should be "siliceous marl"
- l. 24 "the absorption" should be "the mixture of the absorbing material"
- p. 3, l. 28 "fossil dust" should be "siliceous marl"
- l.30/31 should read "closed containers and made to evaporate on opening the containers"
- p. 4, l. 17 "Degesch-refining plant" should read "Degesch-Scheideanstalt"
- l. 24 "Refining plant" should be "Scheidernstalt"
- p. 12, l. 7 first word "one" should be "our"
- l. 30/31 "delineation of boundaries for Leverkusen be worked on" should read "delineation of boundaries be worked out by Leverkusen"



- p. 12, l. 35 "para bichloride benzole" should be "para-dichlorobenzol"
- p. 21, l. 40 last words "1941/1943" should be "1941/1942"
- p. 24, l. 4 delete "this afternoon"
1. 22 "something else" should be "something different"
1. 24 "be difficult to clarify" should be "be easy to clarify"
- 1.40/41 change sentence to read "and when I say cost price I do not mean prime costs"
- p. 25, l.18/24 change whole answer to read:  
"A. The prime price (Selbstkostenpreis) might be the actual cost price, which is paid for a product when producing it in the own factory. The cost price (Einstandpreis) may be and is actually increased very frequently by indirect business expenses which are summarily or fictiously assumed"
- p. 31, l. <sup>39</sup>~~29~~ "to represent the members" should be "of the members"
- p. 33, l. 17 insert "you" before "~~an~~ interest"
- p. 35, l. 15 "have to become a shareholder" should be "have to be brought in"
1. 28 "session of Certox" should be "payment for Certox"
1. 29 "corresponding of Areginal" should be "corresponding payment on Areginal"
- p. 40, l.43/44 "on the authority of written permission" should be "on the basis of written directions"
- p. 43, l. 4 "They all be binding" should be "They shall be binding"
- p. 44, l. 22 change sentence to read "The partners will take over the shares as follows:"
- p. 46, l. 13 "3 December 1919" should be "31 December 1919"
- p. 47, l. 1 change date to read "17 March 1948"
- p. 48, l. 1 "collaboration with the Degussa" should be "collaboration between IG Farben and the Degussa"

- p. 48, 1.31 insert "regarding Degesch" after last word "Degussa"
- p. 53, 1. 16 insert "for the year 1939" after "business report"
- p. 60, 1. 7 insert "in the affirmative" after "answered"
- p. 61, 1. 2 last word "carbolic" should be "carbonic"
1. 45 "trichloro acetoneitril" should be "trichloro-acetonitril"
- p. 62, 1.12/16 Change sentence to read; "but now it appeared to be expedient, actually to deliberately abandon this monopoly position and to interest and train as great a number of reliable insect exterminators as possible in the utilization of the less poisonous Degesch processes"
1. 22 Change sentence to read: "at home and abroad for the fumigation of large enclosed premises"
1. 40 insert "agricultural" before "nurseries"
- p. 64, 1. 10 "150 degrees" should be "15 degrees"
1. 42 "successful storage of supplies" should read "successful protection of stored supplies"
- p. 96, 1. 19 insert "on pages 30 - 32" after first word "report"

DEGESCH Document Book II

Index p.IIIa, 1. 5

Insert ", the IG Farben" after "IG Farben" at end of line

p.IV, 1.29 delete last word "separators"

1.33 delete "separators" and change next word "were" to "was"

p. 11, 1. 14 "letter of 14 inst." should be "letter of 1 inst."

1. 18 "report for 1943" should be "business report for 1943"

p. 23, 1. 8 "official partnership" should be "formal partnership"

p. 25, 1.32/33 Delete "of the Degesch"



- p. 25, l. 33 "Degesch Board of Directors" should be "Degesch Verwaltungsrat"
- p. 26, l. 7 Insert "namely Zyklon" after "gassing"
- p. 28, l. 29 First words "proof Cyanocalcium" should be "percentage calcid (cyanocalcium)"
1. 32 Insert "in 1930" after last word "Degesch"
- p. 29, l. 9 Insert "our" before "previous expenses"
- p. 30, l. 5 Insert after line 5: "Although this was not explicitly entered into the agreement of 1936, yet this function of the Verwaltungsrat was always predominant later on".
1. 24 Insert after last word (Heli): "the first mentioned company supplying the East part, the latter one supplying the West part of Germany"
- p. 32, l. 23 "did not get" should be "did never get"
1. 32 Change date to read "3 January 1948"
- p. 37, l. 4 Insert "against a license fee" after last word "Degesch"
1. 15 "as ab-product" should be "as a by-product"
- p. 40, l. 19 Delete "individual"
1. 20 Insert "annual" before "stockholders' meetings"
1. 21 "attended to by the" should be "attended by the"
- p. 45, l. 16 "two hours" should be "24 hours"
- p. 46 Change pagination to 46
1. 25 "hydrogen" should be "warning agent"
- p. 49, l. 7 "bromido-vinegar-ester" should be "bromido acetic ester"
- 1.11/12 "Zyklon hydrocyanic acid" should be "Zyklon-prussic acid without irritant"
- 1.12/13 "disposal of hydrocyanic contamination firms" should read "disposal of the firms engaging in prussic acid gassing."

p. 50, l. 7, 11, 13, 21, 28

"bromide vinegar ester" should be "bromide acetic ester"

1.23/27 "1% phosgene acid" should be "1% chloroacetic acid"

1. 28 Change line to read "(per) ticularly when the irritant contents of bromo acetic ester was still 2%. The"

p. 57, l.9/10 "Cyanates and Cyanate compounds" should be "Cyanides and Cyanide compounds"

1. 11 "combatting injurious insects" should be "insecticides"

1. 13 "the combat against injurious insects" should be "insecticides"

p. 59, l. 1 Insert "of these" after "300"

p. 61, l.25 Insert "until further notice" after last word "management"



Document Book BURGON I

- p. 16, 1. 14, 15 Change lines to read: "As a rule it was Dr. Vorländer from Bitterfeld, who was also an expert on chlorine, who came into the office rather than he."
- p. 17, 1. 11 "575" should be "475".
1. 23 "I was" should be "he was".
1. 24 "with my" should be "with his", and "a plant" should be "plants".
- p. 19, 1. 16 "1937" should be "1936".
1. 25 After the last word "the" insert "U.S."
- p. 21, 1. 16 "experts" should be "skilled workers".
1. 26 Delete "of another preliminary product" Corresponding words likewise to be deleted in German text.
- p. 22, 1. 24 "plant for calcium sulphate" should be "plant for sulphuric acid from calcium sulphate".
1. 27 After "cellulose" insert "wool".
1. 29 As line 24.
- p. 23, 1. 5 "a large" should be "a larger".
1. 24, 23, 25, 27 "Nitrohydrochloric" should be "Nitric" each time.
- p. 24, 1. 3, 4 "Nitrohydrochloric" should be "Nitric".
1. 23 After "Ludwigshafen" insert "and distilled in Wolfen".
- p. 24, 1. 25 "Post Control Section" should be "insecticide department".
- p. 25, 1. 2, 3 "pest control agents" should be "insecticides".
1. 18 "decided" should be "finished".
- p. 30, 1. 1, 2 these two lines should read: "Half of these quantities can be attributed to the I.G.-Farben Industry as partner of the Aluminium Werke G.m.b.H."
- p. 31, 1. 9 "Germany" should be "England", in both the English and German Documents.
- p. 37, 1. 11 "administration" should be "taking care".
- p. 42, 1. 42 Above the first line insert "par. 5".
- p. 48, 1. 9 "start its activity as a trustee only in the second half of 1942" should be "not take care of it before the second half of 1942".

- p. 48, 1. 15 "assistance and trusteeship through" should be  
"assistance could be given and care taken by".
1. 16 Delete "could take place".
1. 18 "official administrators" should be "commissars"  
(Kommissarischer Verwalter).
- p. 49, 4<sup>th</sup> line See line 18.  
from bottom
- p. 50, 1. 1 "trusteeship measures" should be "steps necessary for  
them to discharge their duty".

Document Book BUERGIN No. III

- p. 14, 3<sup>rd</sup> line "electron" should be "electro".  
from bottom
- p. 18, 1. 11 Delete last word "Aluminum".
- p. 22, 12<sup>th</sup> line "pressing plant" should be "pressing machine".  
from bottom
- p. 23, 1. 22 As above.
- p. 30, 1. 8 "section 8" should be "section 5".
- p. 33, 1. 17 Delete "not" after "are".
- p. 42, 1. 10 "laid down" should be "ordered".
- p. 42, 1. 12 "additional plants" should be "stand-by plants".
- p. 44, 1. 1 "by I.G.-Farben" should be "by I.G.-plants Aken".
- p. 73, 1. 20 "that is to say" should be "and".
- p. 74, 1. 9, 11 See p. 73, 1. 20.
1. 25 The name should be "Buch".
- p. 78, 1. 10 After "recollect" insert "the visit to Bitterfeld of".
- p. 93, 1. 17 "1935" should be "1933".
- p. 94, 1. 2 "themite" should be "thermite".
1. 5 "mg" should be "kg".

Document Book BUERGIN No. V.

- p. II, 1. 10 "retaining" should be "retraining".
1. 27 "1040" should be "1043".
- p. III, 1. 14 After "formerly" insert "administrator of the labor  
camps at Bitterfeld".
- p. 1., 1. 16 The name should be "Joerss".
1. 17 "joint operations" should be "works combine".



- p. 3, 1. 13 "through compulsorily" should be "by recruiting or compulsory measures unknown to us".
- p. 7, 1. 17 Last two words "it was" should be "one had".
1. 18 After "foreigners" insert "to take into consideration the needs of the plant".
1. 19 Should be "of the leave for both the Germans and the foreigners was, of course, determined in accordance therewith. For the"
- p. 24, 1. 18, 19 "my colleague in the Vorstand, was my superior" should be "was my superior in the Vorstand".
- p. 28, 1. 10 "Buergin" should be "Krauch".
- p. 41, 1. 17 "unskilled" should be "semi-skilled".
- p. 48, 1. 9, 10 "puddle-pouring" should be "ingot-casting".
- p. 49, 1. 14, 15 "German production decreased" should be "production decreased obviously".
- p. 64, 1. 10, 11 Delete "and" after "huts" in line 10 and insert after "huts" in line 11.
- p. 60, 1. 13 After "administration" insert "at Bitterfeld".
- p. 77, 1. 5 "ray-examination" should be "X-ray examination".
- p. 77, 1. 6 "12" should be "10".
- p. 83, line 7 from bottom "for every whole-time plant worker" should be "for every month during which the worker concerned was fully occupied in the plant".
- p. 84, 1. 18 After "since" insert "these".
- p. 86, 12<sup>th</sup> line from bottom "Czechoslovakia" should be "Slovakia".

#### Document Book VI.

- Index p. I, Doc.No. 33, "normally heavy" should be "normal, long-time".  
1. 10/11
- Index p. III, Doc.No. 40 After "Bitterfeld" insert "from 1940 to 1945".  
1. 3
- Doc.No. 50 After the first word "camp" insert "the care and protection given to pregnant women".  
1. 6
- Index p. V, Doc.No. 62 Delete last word "no".  
1. 14
- Index p. V, Doc.No. 62 "were demanded" should be "were unknown".  
1. 16
- p. 4, 1. 11 "predecessor" should be "superior".
- p. 10, 1. 20 "uniformly friendly" should be "very kind".

- p. 14, 2<sup>nd</sup> line Delete the first word "two",  
from bottom
- p. 19, 1. 6 "Ozernowicz" should be "Zschornowitz".
- p. 29, 1. 11 "bathtubs" should be "very good bathing facilities".
- p. 39, 1. 1 "R. Ambasciata d'Italia" should be "Royal Embassy  
of Italia".
- p. 48 Insert as heading: "Copy - Affidavit".

Document Book No. VII.

- Index p. II, 1.3 After "textile comes" insert "(compare Prosecution  
Exhibits 98 and 744)".
- Index p. II, 1. 5 The line should read "state and these firms processed  
them further into containers for".
- Index p. III, 1. 3-4 "cannot be brought in accordance with requirements"  
should be "is to be explained by the requirements".
- Index p. VI, 1.5 After "Bitterfeld" insert "since 1941".
- Index p. VI, 1.21 After the last word "rations" insert "and".
- 1.22 After "Russians" insert "also an extra meal".
- p. 6, 1. 19 "production should be "processing".
- p. 6, 1. 20 "credit shares" should be "credit files".
- p. 7, 1. 12 "hydro-plant" should be "power plant".
1. 14 "magnesia" should be "magnesium".
- p. 8, 1. 2 "Production" should be "Processing".
- p. 10, 1.20,21 The sentence should be "No Ferro-Wolfram or Ferro  
Polybden were ever produced at Teutschenthal".
- p. 24, 1. 16 After "construction" insert "housing barracks for".
- p. 38, 3<sup>rd</sup> line "Criminal Police Code" should be "Code of Criminal  
from bottom Procedure".
- p. 42, 1. 7. 37 "Criminal Police Code" should be "Code of Criminal  
Procedure".
- p. 44, 1. 17 "Article 132" should be "Article 123".
- p. 45, 1. 14 "Sensitive products" should be "products subjects to  
secrecy".
- p. 46, 1. 22 "Labor force" should be "personnel".



Document Book No. VIII.

- p. 3, 1. 16 "screw-iron" should be "scren".  
p. 9, 1. 16 After "Puddine" insert "The food was sufficient for me  
and the other women did not complain either".

Document Book No. IX.

- p. 2, 1. 5 "He ll" should be "He lll".  
1. 6 "places" should be "placed".  
1. 17 "enemy" should be "foreign".  
p. 3, 1. 31 "hydromalin" should be "hydrohalium".  
p. 5, 1. 11 The first word "Pfister" should be "Pistor".  
p. 6, 1. 3 "new branches" should be "branch factories".  
1. 11 The last word "Dr. Pfister" should be "Dr. Pistor".  
p. 7, 1. 5 "we had set up" should be "we had constructed at that  
time".

Nuernberg, 9 July 1948  
Date

By Randolph H. Newman

Randolph H. Newman  
Deputy Prosecutor,

For: TELFORD TAYLOR  
Brig.Gen., U.S.A.  
Chief of Counsel.

By R. W. Mueller

Dr. R.W. Mueller  
For Dr. Rudolf Dix

For: DEFENSE COUNSEL, CASE VI

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 98

Target 4

Joint Motion of the Prosecution and Defense  
To Correct the English Document Books of  
the Defense

(German)

NATIONAL ARCHIVES MICROFILM PUBLICATIONS



CASE 6 TRIBUNAL VI

DEFENSE

Joint Motion of the Prosecution and Defense to  
correct Eng. Document Books of the Defense for the  
Defendants Hoerlein, Knieriem, Gattinemi, Oster,  
Buergin and Degesch I

(see letter inside)



German

CASE 6 TRIBUNAL VI

DEFENSE

Joint Motion of the Prosecution and Defense to  
correct Eng. Document Books of the Defense for the  
Defendants Hoerlein, Knieriem, Gattineau, Oster,  
Buergin and Degasch I

in German non existent



NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 98

Target 5

Defense Opening Statements, All Defendants  
(English)

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Otto AMBROS

English





*Defense*

OPENING STATEMENT AMBROS

*Case 6*

OPENING PLEA

of

Karl Hoffman, Attorney at Law

before the

American Military Tribunal VI, Nuremberg

as Defense Counsel

of

Dr. Otto Ambros.

Seal:  
US Military Tribunals  
Nuremberg



#### OPENING STATEMENT AMBROS

Because of my information about Otto Ambros I am also compelled to give you, Your Honors, in this Opening Statement, a description of the significance which is attached to this man's work.

Otto Ambros is a Chemist driven by spiritual avocation and passion.

The enormous development of a decisive part of modern organic chemistry is inseparably connected with Otto Ambros as a chemist.

In this connection I am thinking of the construction of the first plants for the manufacture of synthetic rubber, the development of the many new plastic matters, the solvents and synthetic resins, the intermediates for the manufacture of synthetic dye-stuffs, pharmaceuticals and hundreds of other chemicals.

It may be that this list will only give the expert a precise idea of the real volume of Otto Ambros' work.

To describe the actual significance of his work in its effects on our daily life, however, would go beyond the scope of this Opening Statement.

Otto Ambros who, following his period of apprenticeship with Richard Willstaetten, started his industrial career with Farben in 1927, regarded I.G. Farben as a chemical enterprise exclusively.

It may be true that the merchant and the financier could offer him the outward scope, but that was all, for Otto Ambros found his inner satisfaction in chemistry. At the age of 36 already, after he had worked for about 10 years in the I.G. Otto Ambros was called into the Vorstand. At that time he was neither a Party member nor did any other connections take any effect.



#### OPENING STATEMENT AMBROS

Owing to the field of work which Otto Ambros represented in the Vorstand he necessarily continued to restrict his activities to the fields of science and chemical engineering as one of the leading chemists in organic chemistry.

He personally directed a number of important specialized branches within the I.G. Farben. There was no time left for official functions outside of his firm.

The evidence will show that Dr. Otto Ambros, in a sharp distinction to the totalitarian organizations of the Reich, endeavored to retain for himself the freedom of the scientist and technician.

He voiced objective criticism on the over-organization of the state leadership when this became unbearable for the industry.

Already during the Prosecution's case the Tribunal has <sup>under</sup> given Otto Ambros the opportunity to explain. In cross examination his technical field in the pictorial description of a mighty tree with many branches.

An expert of the Prosecution confirmed the fact of the commanding significance which this modern chemistry represented for the peace in particular, as compared with the few branches which exclusively served the military armament.

The evidence will confirm this impression and clearly prove that Otto Ambros did not exert any influence with regard to the establishment, speed and growth of the plants insofar as they served the armament.

The evidence will furthermore show that the three branches in connection with which Otto Ambros is being held responsible, namely poison gas, preliminary products for powder, and above all, synthetic rubber,

## OPENING STATEMENT AMBROS

were much too weak at the beginning of World War II for surviving a modern war, much less so to serve the preparation for a war of aggression.

At any rate, Otto Ambros could not conclude from his sphere of tasks that Hitler would plan a war of aggression.

During the war his feelings were those of a German - and who will blame him for that - but, in spite of the intensive influence exerted on the individual by the dictatorship of the third Reich and also in those horrible times when it was an almost weekly occurrence that one of his plants and his own home-town was hit by a blanket of bombs, he calmly examined where the limits of this dreadful struggle could be found.

It is indeed this very point which the defense will elucidate in an especially extensive manner.

What is left in the frame of such a full life the days of which do not exceed 24 hours either has evidently so far not been apparent to those who, beyond all this, want to hold Otto Ambros responsible for the acts with which he as a chemist had nothing to do at all.

This, at the same time, brings us to the attitude of the Defense with respect to Count II of the Indictment: "Plunder and Spoliation".

In this field too, where the name of Otto Ambros is twice mentioned by the Prosecution we find him in his capacity as a technician. But I can be very brief.

His activity in directing the operations of the Francolor Plants only began after the company had been founded and the French factories were to start their operations.

This conduct and activity of Otto Ambros were the subject of a thorough investigation by that state which, as the party mainly concerned, was able to apply an especially stringent evaluation.



## OPENING STATEMENT AMBROS

In view of the fact that after the war Otto Ambros was again fully confirmed as an expert by France and, as I shall state in due time, he was given recognition by France in a very conspicuous manner, any way there is no need for me at the present time to express my opinion.

The matter "Buna Russia" was already during the Prosecution's case the subject of objection by the defense which apparently seemed to be justified.

In as much as the Defense will continue to concern itself with this matter this will only be the case in connection with the question of conspiracy, after the Tribunal has decided.

However, the representation of Otto Ambros' personality as a whole will show that the charge of conspiracy is without basis.

The picture which the defense has drawn above of Otto Ambros will neither change by the fact that Otto Ambros, ostensibly as a so-called "Generaldirektor" of the various plants which he founded developed or took over, appears within the IG.

Otto Ambros was a technical director and in his work he always remained a chemist.

This fact should again and again be repeated in this Court.

The human aspects in the plants where he interfered in a directing or advising capacity were always resounding for him, and he gave immediate help when asked for support.

Considering, however, the abundance of his acute tasks of research, development and technique in his plant establishments he could depend on the fact that those in responsible positions and the men enjoying his confidence would fulfill their tasks.

To expect more from Otto Ambros lies neither within the scope of the responsible nor of the human.

OPENING STATEMENT AMBROS

These ideas bring us to Count III of the Indictment which the Prosecution calls Slave Labor quite curtly.

The charge of Otto Ambros' participation in a program of organization and exploitation of slave labor must be rejected with all determination.

The procurement of workers did not belong to his sphere of tasks.

This was under the direction of the state and in its individual effects depended on the most various circumstances and authorities.

There is no doubt that in any case Otto Ambros and all his colleagues would have preferred to employ German voluntary workers. However, the decision whether this was possible and what actually happened later did not rest with him or with the directors of his plants.

The question whether it was possible for him to prevent the use of foreign workers or inmates of concentration camps must be answered in the negative.

Besides, the question is meaningless for the present as it has not even been determined yet that the employment of forced labor and prisoners by the plants constitutes a crime in itself.

Wherever this employment was prohibited by the Hague Convention for Land Warfare and the Geneva Convention, in plants which manufactured equipment for warfare against the country of which the employed workers were citizens, such an employment has never taken place with the knowledge and consent of Otto Ambros.

I have already stated above that Otto Ambros has never failed to give help when he was approached by anyone.

In this direction the defense will show exactly where Otto Ambros has given his help.

Otto Ambros will show with justified pride the photos of the plants



## OPENING STATEMENT AMBROS

which had been submitted to him, and which will also give an idea of the human side of all that which he as a chemist did.

The Defense will fight with all determination against the attempt to bring the appalling acts in the concentration camps of Auschwitz and Birkenau, of which we know today, into connection with the construction of the IG Plant near Auschwitz.

In selecting the site of the IG plant east of Auschwitz only technical circumstances were decisive.

With respect to the personality of the defendant Otto Ambros it constitutes a tragic misconception of the over-all circumstances if the Prosecution attempts in perspective distortion in view his scientific and technical accomplishments from the point of view of preparing a war of aggression, of plunder and spoliation or the use of foreign workers and concentration camp inmates.

Today Otto Ambros still retains the interest in chemistry as a chemist by avocation towards his creation of the Buna section of the Auschwitz plant and at the time the plant was founded he placed the same considerations and problems into the foreground which today induce the Poles to reconstruct the plant without the existence of a concentration camp on its grounds.

My appendix to this Opening Statement will show the Tribunal by what ethical and scientific traditions the chemist Otto Ambros and his technical colleagues felt themselves bound in their work, which gives a summarized description of the pioneer achievements of the IG chemical enterprise as it was also stressed by General Taylor in his Opening Statement.

## OPENING STATEMENT AIRBOS

### Pioneer Achievements of the Plants of the I.G. Farben Industry.

In the present trial of the United States of America against one of the greatest industrial undertakings in the world, the I.G. Farben Industry, the Prosecution used the expression "by perverted chemists".

This charge against a body of first-class scientists and engineers can only be explained by the difficulties of understanding the chemist's way of thinking. This might be exemplified in a simple experiment:

Sodium, a metal as soft as wax, lighter than water, reacts to water by producing fire and explosions.

Chlorine is a yellowish green gas which destroys all organic life and because of this quality was used in World War I as the first chemical warfare agent.

The union of these two aggressive elements, however, produces nothing else but our harmless cooking salt.

This special chemical structure governs the mode of working and methods of research of the chemist; without taking them into consideration it remains incomprehensible why the chemical industry by a necessary logical sequence also created products, the development of which is today brought against it as a reproach.

In the second quarter of the preceding century after clearer knowledge of the structure of animate nature had replaced vague ideas



## OPENING STATEMENT AMROS

about the connection between life and matter the spell was broken which up to then had decisively hampered the free development of chemical science. New knowledge quickly led to the explanation of a number of natural products which man had already made use of for centuries and which he was permitted to hope he could produce even outside of the natural cells of growth and independently of the rhythm of birth and death in animate nature.

Among the finest products of the early period of this new development<sup>is</sup> numbered the production of artificial dyes, with alizarin and indigo at their head. For almost twenty years the chemists of the Badische Aniline and Soda-Works in Ludwigshafen on the Rhine had to struggle in competition with those of the Hoechst Dye Works with the problem of making artificial indigo which was cheaper and more beautiful than that which nature offered in the cells of a few plants. The problem was solved. Natural indigo sank into oblivion.

In this case man had only imitated the natural product, accurately copied its inner structure. Still more remarkable were his successes in creating completely new dyes for which nature furnished no example whatsoever.

Thus in the course of about half a century thousands of new dyestuffs were sent out into the world by the laboratories and plants of the subsequent I.G. Farben.

In beauty and brilliance, in variety and permanence they surpassed the some two dozen dyestuffs hitherto known and used to such an extent that today practically no natural dye is used any more in the civilized world.

The world-famous trade-mark of the light-resisting dyes (Indanthronfarbstoffe) is the symbol for this.

## OPENING STATEMENT AMBROS

a further field of application for increasing human happiness is also offered to the chemist in the field of artificial precious stones, of natural color film, products which benefit the great masses of humanity in particular. The Agfa Color Film Company considers its task to be not only that of increasing the effect of naturalness on the moving picture audience, but through the accurate reproduction of processes in nature, of masterpieces of art, it should furnish suggestions to an ever increasing extent to science and art.

A second distinguishing mark of I.G. products has achieved a world reputation, the Bayer cross as a symbol for remedies.

In 1888 the Friedrich Bayer & Co., Elberfeld, at that time a dyeworks, decided to add the production of medicines to the manufacture of dye-stuffs. What relation had been established between these two apparently alien fields of activity in this factory?

Just like dyes man had up to then secured most of his medicines exclusively from the plant and animal world. Did they represent the best which he needed for his purpose? In the meantime the chemist had won the right to answer this question in the negative. Actually many of these products such as opium, morphine and cocaine, were very dangerous poisons for the human body which besides their curative effects induced far-reaching injuries of another kind.

The intensive occupation with the numerous chemical compounds which had been created chiefly in the service of dye research, the knowledge of their inner structure which had made great progress in the meantime, and the experience acquired in their methodical production justified the chemists in the working hypothesis that it also ought to be possible to produce pharmaceuticals chemically and that they might be much more suitable in their specific effect on the sick body than the natural drugs, most of which consisted of numerous single compounds.



#### OPENING STATEMENT AMBROS

The systematic pharmaceutical research issuing from the Elberfeld plant at that time doubtlessly contributed decisively to the fact that during the last fifty years the average lifetime of a human being has been increased by almost twenty years. The products of the I.G. in the field of vaccines, hormone preparations and vitamins have also contributed to this.

Aspirin and Pyramidon, Gardan and Compral, Evipan, Luminal and Veronal, Novalgian and Novocain, have brought healing and the alleviation of pain to millions of human beings throughout the earth.

Chemical therapy stands in close connection with this. As one branch of the field of medicine it bears the task of combatting the bacteria and other microorganisms, in the human body by chemical means and thus to heal the diseases caused by them. The difficulties of the problem to be solved here become apparent if one realizes that here it is a question of killing off organisms which are subject to the same laws of life as the cells of the human body. It was, therefore, a question of destroying the bacteria without injuring the body cells. The problem posed appeared insoluble.

Systematic observations and their logical utilization, however, led to the goal. "The sensation and the enthusiasm awakened by the introduction of Salvarsan in the practice of medicine can only be understood by one who knows how lengthy and imperfect were the previously available methods of treating syphilis."

Chemical therapy also had very great successes in the war against tropical diseases. Malaria, which is spread over almost the entire world and of which alone according to statistics 700 million people fall sick and 2 million people die every year, could not be stamped out, although quinine, the only remedy which was to any degree effective against malaria, had been used for 300 years.

## CLOSING BRIEF AMBRÓS

Moreover, the secondary effects of quinine also cause serious harm to the human body and 50 % to 70% of malaria patients treated with quinine suffer relapses.

In contrast to this let me give a statistical example of the effectiveness of the I.G. preparations Atebrin and Plasmochin: On the plantations in the Malay States 3,500 out of 23,000 people were still sick with malaria in 1930, of whom 60 died. Through the systematic application of the above-named remedies of the I.G. the number of sick up to 1934 declined to 879, that is by 75%, and the number of deaths to 13, that is by 78%.

Another devastating tropical disease is sleeping sickness. For example, of the population numbering 40,000 of one of the tribes in Uganda (Africa) 20,000 people were carried off by sleeping sickness within two years. The British had to evacuate the remaining 20,000 natives as quickly as possible, or the entire tribe would have succumbed to certain extinction.

After years of labor in the laboratories of the I.G. the remedy was found in Germanin (Bayer 205), which destroys the carriers of sleeping sickness in the blood. The importance which was attributed to this discovery, especially abroad, is shown by the statement of the English biologist Huxley of Oxford University, who wrote: "The discovery of the German Germanin is probably much more valuable to the Allies than all the preparations which were originally demanded by them."

Against kala-azar (black sickness), a disease chiefly prevalent in India and China, I.G. brought out Neostibosan, which causes this disease to disappear in the course of a treatment of only one week, while avoiding all the secondary effects which developed from all the previously used preparations. No less devastating --- especially for Egypt --- is a disease called "bilharzia" by which 10 million out of 14 million inhabitants were attacked.



OPENING STATEMENT AMBROS

In appreciation of the great importance of one remedy discovered by the I.G. for this disease King Fuad of Egypt gave permission for it to be given the name of "Fuadin".

Likewise up to the discovery of Prontosil and Uliron by chemists of the I.G. no effective remedy had yet been found for combating streptococcus infections, which include, among others, the dreaded puerperal fever. It is, therefore, understandable that the medical profession of the entire world received this new remedy immediately with great enthusiasm. In a few years hundred of scientific treatises appeared on the application and effectiveness of this new preparation. So vehement did the demand for it from all countries in the world come to be that after a short time the first manufacturing plants in Elberfeld and Leverkusen, which had been amply equipped for the new pharmaceutical, proved completely inadequate.

The labors of the I.G. in the field of combating insect pests by chemical means point in the same direction of research. The extraordinary importance of this work is expressed in the saying "man only harvests what the insects leave for him". Insect pests threaten not only our food, but also our household furniture, our clothing and our health.

A new chapter begins with the development of technical catalysis, which has probably exercised and continues to exercise a very lasting effect on the shaping of our existence.

At its beginning stands the technical fixation of atmospheric nitrogen according to the HABER-BOSCH process.

## OPENING STATEMENT AMBROS

As early as 1898 Sir William Crookes delivered a speech before chemical, agricultural and military experts at the British Association in Bristol in which, among other things, he said: "The wheat crops of the world depend on Chile's nitrate beds; a world famine is inevitable if we do not succeed in extracting nitrogen from the air in the form of fertilizer." And further: "The question of nitrogen fixation is a question of life and death for the coming generation."

The importance of the problem for all humanity is indicated in this statement. To be sure, nitrogen is available in unlimited quantities, since it makes up about 80% of the air in the atmosphere, but the plant cannot use it in this form. It must (first) be chemically united with other elements and thus be transformed into substances which, as was already known for a long time before this, are indispensable nutritive salts of plants. For example, the salt of ammonia with nitric acid, both of which are nitrogen compounds, and urea, are salts of chemical compounds of this kind. But now nitric acid is at the same time the basic substance for the production of almost all highly effective explosives and thus it comes about that the life-saving industry of nitrogenous fertilizers stands in close contact with the life-destroying industry of explosives. There is no more convincing proof of this deplorable fact than the frightful catastrophe which was visited upon the Oppau plant of the Baden Aniline and Soda-Works in the early period of the synthesis of ammonia where a fertilizer silo exploded and 561 men lost their lives in the destruction of almost the entire plant.

When shortly before the first World War by exerting all its energies the Baden Aniline and Soda-Works solved the extraordinarily difficult problem of the technical fixation of nitrogen compounds from the air, it had in mind only the peaceful application of its invention. That this offered sufficient attraction becomes clear if one knows that in 1931 alone Germany



#### OPENING STATEMENT AMBROS

had to import 775,000 tons of Chilean nitrate with a value of 171 million marks.

The inventor of the engineering process, Carl Bosch, was honored with the Nobel Prize in 1932. This fact is especially remarkable insofar as the Nobel Prize Committee here for the first time conferred on a man from the engineering field the high distinction which hitherto only man of science had received.

The technical development of the ammonia synthesis according to Haber-Bosch at the same time opened a door to new, unsuspected possibilities. For the first time problems of chemical engineering had been solved with this synthesis which previously had to be considered impossible to work out successfully. Through them men had learned how to carry out chemical reactions on a very large scale under a pressure of several hundred atmospheres and under close to red-hot temperatures. Men had further learned to develop metal alloys, apparatus and armatures which could stand up to these extreme requirements for a long time, and finally men had gathered valuable experience in the field of catalysators and measuring technique which previously had found only little admission into chemical engineering practice.

The cooperation of all these individual factors was expressed in the following period by the rapid development of a number of new major chemical products, headed by that of methanol, synthetic gasoline and synthetic rubber.

The importance of methanol as such is not so obvious. In its chemical by-products, however, it plays an extraordinarily important role in daily life. A large part of the plastics, synthetic resins, solvents, tanning agents, etc., of important consumer goods are to be traced back to methanol as an indispensable component for them.

## OPENING STATEMENT AMBROS

To be sure, there were other ways for I.G. to make this important base before the development of the technical means for the synthesis of methanol, but they were very limited and therefore the production was very low and the methanol expensive. Only the method for the synthesis of methanol of I.G. produced enough quantity at the necessary low price. Just like the ammonia synthesis, it was also first developed at the Ludwigshafen plant of I.G. Today it is used in a great many industrial countries on the I.G. patents.

Ammonia and methanol synthesis belong to the group of hydrogenation processes, under which the chemist understands processes by which hydrogen is chemically combined with other substances. The laymen has become most familiar with this branch of chemical processes through the hydrogenation of coal, which is usually given the obvious name of coal liquefaction.

The geologists and the experts of the mineral oil producing and processing industry know that the mineral oil supplies of the entire world are nearing depletion at a frightening rate. Therefore it is one of the tasks of research and technology to search in good time for solutions to this threatening situation.

Furthermore, in an evaluation of the benzine synthesis, the question which every chemical synthesis brings up, is the synthetic product better than the natural product, can be answered in the affirmative. Certain synthetic fuels are superior to the chance products which nature has made from animal and vegetable deposits, through certain transforming processes, in the course of the history of the earth, for instance as regards a very high efficiency which modern high powered motors, such as air plane motors, require.

The achievements of I.G. in this field were the conquest of the difficulties inherent in transforming a laboratory experiment into industrial production, and in introducing catalysis into the process. This tremendous problem could only be solved through the consciousness of duty of the pioneer tradition



#### OPENING STATEMENT AMBROS

of the I.G. plants and with the experience and know-how of its chemists and scientists.

The Nobel Prize Committee saw the correlations correctly when in 1932 it awarded the Nobel Prize besides to Bosch, to Bergius too, who in his first ground breaking work had indicated the scientific way from coal to benzine.

The efforts to produce synthetic rubber are based on the same thoughts and problems, except that the technical problem was different. The difficulties here lay in the internal structure of the highly complicated rubber molecule.

Research chemists and physicists assume that the large rubber molecule is built up of hundreds of thousands of Isopren molecules. They form themselves into large chains, which themselves are drawn together into a bundle and lie parallel to each other. The chains lie in a space next to one another, like pencils which are fastened together in a bundle, but which can be pushed out of place. In this limited movement there is an illuminating picture of the elasticity of rubber. It becomes even more clear when you elaborate the example by having these long chains connected with each other by a few loose hooks.

Therefore, if one wants to produce rubber artificially, one must first make the links of the chain that will be suitable for the construction. Chemistry found many ways of accomplishing this. Then these beginning products must be so combined as to produce the material that is closest to natural rubber, or even superior to it.

Since the chemist here is in competition with nature he has developed a working method which also occurs in the cells of a plant. It is to be understood that in the selection of the chain links and in the influencing of the joining of these chain links

## OPENING STATEMENT AMBROS

there lies the possibility to breed special qualities, which then must lead to the most varied kinds.

Technically the synthesis of rubber demanded the development and combination of extremely difficult and complicated processes. I.G. took a decisive step along the way to synthetic rubber in 1928 when it invented polymerisation (Mischpolymerisation) which led for the first time to a stable milk that was similar to the latex of the natural rubber.

In order to fully appreciate the importance of the synthesis of rubber it must be remembered that the natural produce must also first undergo a chemical process, namely the addition of sulphur and other substances at high temperatures, before it receives the qualities which make it usable for high grade tires. Whether the synthetic product can replace the natural one, like natural indigo was replaced by the artificial dye, will depend on whether it can be developed into a cheaper and in every way superior material. That is very probable. For special uses the oil-proof Perbunan of I.G. has already overshadowed the natural product which is not resistant to oil and fuels.

From a broad viewpoint the production of synthetic rubber furthermore offers the opportunity to free giant rubber plantations for food production and to stop the exploitation of laborers whose work consists of painstaking tapping of trees at the lowest wages.

Now that countries like America and Russia have begun the industrial production of synthetic rubber on a huge scale, there can hardly be a doubt that the path which has once been successfully followed will not be deserted again.

American circles have called this age the age of "artificial products", in reference to the designations of stone age, bronze age and iron age. Although this description possibly goes too far in its generalization, nevertheless



## OPENING STATEMENT ABROS

it cannot be denied that the artificial products have had such a development in the past decades, as to influence the way men live to a greater and greater degree.

As the knowledge of man about the internal structure of matter increased and as his means and methods were perfected and became more complicated, so the technical ability to make new materials chemically also increased.

New developments point more and more plainly towards total synthesis from chemical elements and simple chemical combinations, which are given the high molecular structure characteristic of artificial material by means of polycondensation of polymerisation. It begins to sink in that here, on account of the practically unlimited possibilities in the choice of original materials and of methods, it is possible to give the final product any desired quality that will best suit it to human needs.

All industrial countries of the world, and especially the USA in the past two decades, are participating in the development of this wide field. Here the chemistry of the superpolymides should be remembered, whose most impressive representative is the nylon thread, which will have a great effect, especially on the textile industry, on account of its superb qualities.

The artificial products of the I.G. Farben industry are mainly made from acetylene bases - products like polyvinyl chloride, polyvinyl acetate, polyacrylester, polyvinyl ether, and polystyrol have found numerous uses in the most diversified modifications and are now established in industry and in the home. The development of the chemistry of the acetylene and the ethylene has broadened the field of aliphatic chemistry tremendously in the last two decades. It has at its disposal today the experiences and equipment of catalysis and the high pressure

#### OPENING STATEMENT ABROS

technique which was created by the school of Carl Bosch and left behind as the greatest inheritance of its pupils for the development of new fields in chemistry.

These exemplary merits have also been recognized by science, in honoring one of the leading chemists of I.G. for these special achievements by conferring on him the title of doctor honoris causa at the recommendation of a world famous scientist. The document conferring the degree expresses it as follows:

"The faculty hereby honors his outstanding achievements in the development of the technique <sup>the</sup> in/field of macro-molecular chemistry, for the introduction of new polymerisation processes and the development of synthetic materials and of buna."

In summing up let us recall only one fact, because it is of a documentary nature: In 1937 there was a great international exhibition in Paris showing "Art and Science in Modern Life." An international jury judged the achievements of the countries and of their exhibitors. I.G. Farben received nine of the highest awards alone (Grands Prix):

- 1) for its Indanthren dyes,
- 2) for its Prontosil, the most effective agent against coccus infections,
- 3) for its high pressure process to make benzine from coal,
- 4) for its buna,
- 5) for its vistra fibre,
- 6) for its cellophane,
- 7) for its light metal "hydronalium".



OPENING STATEMENT AMBROS

- 8) for its "Eulan", the most effective protection of textiles against moths,
- 9) for its color film 2 Agfa-Color-Neu" and its miniature cameras

OPENING STATEMENT AMBROS

CERTIFICATE OF TRANSLATION  
-----

14 January 1949

I, the undersigned, hereby certify that I am a duly appointed translator for the English and German languages and that the above is a true copy of the English transcript of Opening Statement Ambros, in which I have inserted such passages as had been omitted.

John FOSBERRY  
No. 20179



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Ernst B U R G I N

English



Case 6  
Defense

Opening Statement  
-----

by

Attorney at Law Dr. Werner Schubert

Defense Counsel

for the Defendant Dr. Ernst BUERGIN

Case 6

Military Tribunal VI





OPENING STATEMENT BUERGIN  
-----

Your Honors:

I.

The defendant Dr. BUERGIN saw the collapse of the so-called Third Reich from his headquarters at Bitterfeld. Bitterfeld, which is in the Russian Zone, was occupied, at that time, by American troops. The American occupation force was naturally informed that one of the major Farben works was situated at Bitterfeld. American specialists and administrative officers accompanied the troops and immediately commenced investigations of technical installations on the spot, and more particularly, of the conditions of foreign workers. The outcome of these investigations was that having filled out one of the usual questionnaires, my client, Dr. Buergin, was completely cleared, no restrictions being imposed upon his freedom. He even received from the occupation forces permission to leave Germany, a privilege which, as is well known, is granted only in very rare cases today. Dr. BUERGIN proceeded to a French firm which had, for a long time, been on friendly business terms with Farben. Also this firm found nothing to reproach in his conduct, and accepted him as a member of its staff. There Dr. BUERGIN was able to carry on his work in his own field until the summer of 1947. When the general indictment had already been served in this trial, Dr. BUERGIN was arrested in France by order of the Prosecution. He was virtually unable to take any effective steps against his extradition, as, in France, he was without the means which would enable him to enlist the services of a lawyer. He was brought to Nuernberg and there for the first time the whole indictment was served on him, after he had previously been informed in Aix-en-Provence of the charge

OPENING STATEMENT BUERGIN  
-----

of complicity in the use of so-called slave-labor and alleged collaboration in the Four Year Plan. He was arrested - a charge was brought against him and he was brought to trial, without having had any previous opportunity to define his attitude to the charge, to clear himself, or to refute the accusations contained in the indictment. Thus Dr. BUERGIN has been involved in a trial, despite the fact that the material submitted by the Prosecution brings no proof whatsoever to substantiate special accusations which could justify the monstrous charges brought in the indictment. One cannot, therefore, help feeling - and in this trial the defense is dependent to a large extent upon hypotheses in assessing the Prosecution's evidence - that Dr. BUERGIN has been accused before this Tribunal less on the grounds of individual accusations, but mainly because he was a member of the Farben Vorstand.

In its Opening Statement, the Prosecution raised the question of the collective guilt of the Vorstand and concluded, naturally, that the guilt was collective. This Opening Statement is hardly the occasion to go deeper into such a difficult question. I should, however, like to stress the point that such a complicated and unusual legal construction of the facts can come into consideration only if certain minimum requirements have been proved by the Prosecution. This would necessitate proof of the fact that members of the Vorstand have committed any crimes which this Tribunal is competent to judge, that those members of the Vorstand who had no part in the commission of crimes had consecutive knowledge of the facts of these crimes and that they did nothing to prevent the continuation of such crimes.



OPENING STATEMENT BUERGIN  
-----

although they were in a position to do so. In my opinion, there can be no question of the Prosecution's having brought any such proof.

If one rejects this conception of the collective guilt of the Vorstand, which is impracticable though interesting as a concept, it seems that in the case of Dr. BUERGIN the legal basis of counts 1 and 5 of the indictment is mainly sought in the provisions of Article II 2 f of the Control Council Law, because he occupied a high position in the industrial and economic life of Germany.

In the carefully substantiated motion of the majority of the Defense Counsels in this trial to reject Counts 1 and 5 of the indictment on account of insufficient evidence, the question has already been discussed in detail whether the defendants in this case can be charged with the commission of a crime against peace and participation in a plan and conspiracy to commit such crimes. I should merely like to supplement the motion as follows:

The provision of Article II 2 f of the Control Council Law is new, and does not appear in the Charter of the IMT. According to the literal interpretation of this provision, every person who occupied a high political, public or military position in Germany, or who held an important post in the financial, industrial or commercial world, must of necessity be guilty of a war crime. Obviously, the Prosecution at Nuremberg itself does not share this point of view; otherwise, it would have been able to accuse every defendant of a crime against the peace in each of the cases, on the grounds of his official position. Article II 2 f thus necessarily requires restrictive interpretation, a fact which is also admitted by the Prosecution in this trial. It is attempting, however,

OPENING STATEMENT BUERGIN  
-----

to lay upon the defendant the responsibility for proving his innocence, referring in support of its standpoint to the provision of Article II 2 f of the Control Council Law. This cannot be in accordance with the spirit of this provision, either; for, how could the defendant bring proof of a negative fact, i.e. of his nonparticipation in crimes against the peace? In my opinion, the absolutely necessary restriction is provided by the fact that Article II 2 defines the concept of the principal or participant. Subparagraph f thus defines a form of participation. But not every person who holds a certain office can by this become a participant in an offense, but only he who, while holding this office, collaborated in any way in criminal activities. This does not apply to Dr. BUERGIN.

II

At the outset of my review of the Prosecution evidence, which relates to the I.G. plant at Bitterfeld but by no means always to the defendant Dr. BUERGIN, I should like to state that Dr. BUERGIN became a member of the Vorstand of I.G. only on 1 January 1938, to which he belonged and as a deputy member until May 1938, as a regular member as of May 1938.

The defendant BUERGIN came to Bitterfeld in 1931 from Rheinfelden (Baden), where he had been Works Manager. He was transferred there within the organization of the great I.G. Konzern. From a position in which he had on the whole been able to act independently, he was transferred to a far wider sphere of activity, but to a post in which he was dependent on the instructions of his Chief. According to the German Code of Commercial Law, his position was that of Prokurist. This was in no way changed by the fact that he received the title of Deputy Director in 1933.



OPENING STATEMENT BUERGIN  
-----

At first, the management of Bitterfeld Works South was entrusted to him as Chlorine Specialist, and in the course of time, also that of the inorganic departments of the so-called Central German Plant Combine (Betriebsgemeinschaft Mitteldeutschland), to which, in addition to the Bitterfeld works and the Wolfen Dyestuffs Works -- which should not be confused with the Wolfen Film works -- the following plants, mentioned in this trial, belonged; Altona, Stassfurt, Tentschenthal, Scharzfeld, Doeberitz and Rheinfelden. Up to the time, when BUERGIN became a member of the Vorstand, the entire Central German Plant Combine was under the management of Dr. Pistor, who likewise figures in the Prosecution documents. All the extensions, new constructions of entire plants and the of individual reequipment or enlargement/installations in already existing plants objected to by the Prosecution were in all essentials carried out under Dr. Pistor's management so that, when Dr. BUERGIN took over the management of the Central German Plant Combine on 1 January 1938, the industrial expansion program now denounced by the Prosecution as a crime against the peace had, in the main, been completed. BUERGIN had only to finish what had been started by others.

In Bitterfeld, BUERGIN got his first knowledge of the production and manufacture of magnesium; he had had nothing to do with such work in his former sphere of activity. Magnesium was first developed for use as an industrial material exclusively in Germany; the real promoter of this development work was my client's predecessor, Dr. PISTOR.

The development of this particular metal in Germany is to be explained by the special circumstances prevailing in Germany, which explain much of what took place in the field of industry in Germany and divest it of the criminal character imputed to it by the Prosecution.

OPENING STATEMENT BUERGELI  
-----

Germany had always suffered from lack of metals of all types within its own frontiers. But the raw materials for the production of magnesium - particularly carnallite and dolomite - were in plentiful supply in Germany. Hence the efforts of the German research scientists to obtain from the abundant supplies of these raw materials, which were even allowed to run off into the rivers with the waste water, a light metal suitable for technical purposes. A start had been made in this work as early as the turn of the century and despite all set-backs, truly remarkable tenacity was displayed in the constant efforts made, and in the discovery of ever new ways of overcoming difficulties arising in the train of the development work. Production plants for production on a large scale were first erected in Bitterfeld during the first world war. When Germany had lost the war, the production plants met with no objection on the part of the Military Control Commission in function at the time. They were modernized and thus this lightest of all industrial metals found a use in many fields of work, throughout the world, particularly in Germany, especially in those fields in which small weight is essential i.e. chiefly in engine and motor construction. Just as the untiring efforts and the vast investments in this field began to show returns, the economic crisis came, hitting Germany much harder than any other country. Output and turnover showed a marked decline. The Prosecution has taken these slump years as the starting-point for their comparative statistics,



OPENING STATEMENT BUERGIN  
-----

figuring a 4000% increase in production between 1930 and 1943. It is a known fact that statistics, though accurate in themselves can present a totally false picture, and so it is in this case, as the witnesses Elias and Struss stated during their cross-examination.

When industry again began to recover, after the assumption of power by the National Socialists in 1933, a fresh impetus was felt also in the field of Magnesium. It is only too understandable that those men of the I.G. who, with untold trouble and at great cost, had developed this metal into a usable material, should grasp the opportunity to show on a large scale what they had hitherto only been able to do on too small a scale or in the laboratory. None of these men considered it a crime that this rise in the production of Magnesium was in part for the benefit of German rearmament, since all Germany's neighbours were highly armed and the political situation of the disarmed German Reich in the midst of these armed neighbours was by no means secure or enviable. Therefore it came about that the Magnesium works in Alton and Stassfurt were built, in which project, however, Dr. BUERGIN at that time had no active part. It is so much a matter of course that, during the war, production would have to be forced in this field particularly and was in fact so forced, that it is perhaps not necessary to enlarge upon it any further.

The Prosecution has singled out the Magnesium Group in order to prove that the I.G. not only supported the rearmament in its own country, but also consciously and ruthlessly excluded the rest of the world

OPENING STATEMENT BUERGIN

from participating in the results achieved in this field, systematically restricting production in other countries and so creating a perceptible shortage for the enemies of Germany in the last war. I shall prove that the direct opposite is the case.

The I.G. had consistently taken the greatest trouble to interest other countries in Magnesium. Since the beginning of the 20s, there had existed the friendliest relations with Great Britain in this field and those existing with the USA since about 1923 were intensified at the end of the 20's. An agreement was concluded with the greatest aluminum producers in the United States and the world, viz. the Aluminum Company of America (Alcoa). This agreement also contains the restriction objected to by the Prosecution, of the output of magnesium in the U.S.A. to an initial figure of 4,000 tons each for the production firms envisaged by the I.G. and Alcoa. This limit was chosen for two reasons: Under the circumstances prevailing at that time 4,000 tons was a very high output; later it turned out that even this restricted amount could not be sold in the U.S.A. at that time. Besides, The I.G. had only a limited amount of foreign exchange available in the U.S.A., so that it considered it important at first not to enter any engagements which exceeded its strength. Incidentally, this 4,000 ton limit was later dropped. - In England the I.G. itself built a magnesium production plant for an English firm in 1935, the products of which were later used by the Allies in the air<sup>war</sup> against Germany. - Also France received licenses for two production plants in 1931, and the same applies to Italy. - In order to promote the production and use of magnesium in foreign countries, the I.G. in the most loyal manner continued to make available its experience to England, France and the U.S. A. up to the outbreak of the war, and as late as 1940,



OPENING STATEMENT BUERGIN

when war had already broken out, it made efforts to put at the disposal of its American friends the latest results of its research work.

This was the I.G. Farben, whom the Prosecution charges with having restricted the industries of other countries in this field and industrially weakened the potential enemies of Germany, in order with all possible means to support the preparations of the National Socialist war machine, I shall prove that Farben loyally conducted themselves towards their foreign business partners in the most commendable manner and that this was done from 1933 on under the management of my client, Dr. BUERGIN.

In connection with alleged crimes against the peace Dr. BUERGIN is also mentioned as Krauch's collaborator in the Four Year Plan. In point of fact he only occasionally had any contacts with the Four Year Plan, when this agency requested from him statistical material on the production and use of chlorine. Also his activity in a sub-section of the Economic Group Chemistry did not go any further than that he made available his knowledge as an expert on chlorine. I shall furnish full proof to this effect.

III.

My client is also accused of participation in plunder and spoliation in connection with the Norwegian question. Dr. BUERGIN was a member of the Aufsichtsrat of the Nordisk Løtmetall A.G., which was founded during the war with the object of effecting a considerable increase in Norwegian light metal production.

OPENING STATEMENT BUEGIN

Dr. BUEGIN's only role in the establishment of the Norwegian business was that of a technical expert; with the financial transactions he had nothing to do. The statements of the witness<sup>es</sup> so far will already have shown that the founding and the acquisition of the production localities of the new Norwegian company constituted neither spoliation nor plunder.

IV.

My client is finally charged by the Prosecution with participation in enslavement and mass murder.

As in all German plants, foreign workers were also employed in Bitterfeld. The circumstances here are somewhat special, because in Bitterfeld a large camp had been constructed already before the war for the reception of non-local workers. The necessity for this was created by the fact that the industrial area of central Germany, because of its rich lignite deposits, had developed especially rapidly since the first world war, so that there soon occurred a shortage of labour, and housing for the inflow of workers could not be quickly enough provided. In consequence, it was found necessary to establish a camp, which before the war was especially carefully and especially comfortably equipped. The foreign workers were later on placed in this camp, which consequently had to undergo some extensions.

Concerning the manifold legal questions which resulted from the employment of foreign workers, one of my colleagues has already indicated and explained the position taken up by the Defense.



OPENING STATEMENT BUEGIN

I do not wish to tire the Tribunal with further legal statements on this point. I should like, however, to establish in principle that the mere charge of the utilization of slave labor requires substantial proof, and merely to establish that the workers were being used against their will is not sufficient. In that case, every employed in Germany would have rendered himself liable to punishment, since all, even the smallest enterprises, had foreign workers. Every farmer, every housewife who employed Polish or Ukrainian domestic helpers, would thus be war criminals, a consequence which has not so far been drawn either by the Allies or by the German authorities engaged in the punishment of war criminals. Here again, therefore, some sensible limitation must be made, as the Prosecution themselves are apparently not unaware, since they are endeavouring to prove inhuman conditions in the camps, in the treatment and in the working conditions of the foreign workers. In this respect, the material submitted by the Prosecution regarding the plants of the Works Combine of Central Germany (Betriebsgemeinschaft Mitteldeutschland) is scanty. It consists solely of the affidavit of a French worker, who has so far not even been put up for cross-examination. Should this not subsequently be done, I shall object to the admission of this affidavit.

I myself, however, am in the position to prove that it was my client in particular who, with an understanding based on extensive experience abroad and a warm feeling for the workers who had come into a strange land, recognized what had to be done to lighten the burden of the foreign workers; who constantly, in conferences of works and department chiefs,

OPENING STATEMENT BUERGIN

gave directives, suggestions and orders to this end; who saw where the most energetic help could be rendered and who finally also had the satisfaction to see that the American administration officers entering with the troops found nothing objectionable, that the foreign workers had no complaints to make the Americans in reply to their pressing questions and that in some works the foreigners handed in letters of thanks before their departure.

The Prosecution tries to hold my client responsible also for conditions in the Monowitz camp. Evidence will show whether the conditions about which we learned in the last weeks of the Prosecution case-in-chief, really were generally like this and whether any of the defendants is responsible for them at all. Dr. BUERGIN never was on the spot and in the bi-monthly Tsa and Vorstand meetings, when technical and financial expenditure was discussed, learned of the fact that Concentration camp inmates were being employed, nothing more or less. Concentration Camp inmates were employed also in other I.G. plants, but not in the Central German Plants Combine. BUERGIN could not alter that. Whatever the result of the evidence in the Monowitz-Auschwitz question will be, for Dr. BUERGIN at least I claim the statements of the judgment against Pohl et al., viz, that the expression "being connected with" a crime, means more than working in the same building with the principals or accessories or even being in the same organization, more than merely not being against it. That this "more" applies in the case of Dr. BUERGIN has never been proved by the Prosecution.



OPENING STATEMENT BUEGIN

Before I conclude these statements, I should like to draw the attention of the Court to the following points:

As I emphasized in the beginning, the Bitterfeld Works lies now in the Zone of Germany occupied by the Soviet Union. It has become evident, not only in my own Defense assignment, but also in those of my colleagues, whose clients were directors of works in the Soviet Zone, that the obtaining of defense material from this Zone meets with extraordinary difficulties. It is not only that the witnesses concerned are afraid of getting into political difficulties if they give their former works managers a truthful affidavit concerning events of the war and pre-war period -- which fears according to experience, do not beset the witnesses in the Western Zones; but it is also that documentary material cannot, or can only with the greatest difficulty and to the most restricted extent, be obtained from the works of the Eastern zone, which - like Bitterfeld -- have all become Soviet Russian State plants. I beg the High Tribunal, in the assessment of the evidence, of the Defense, to take this point of view into consideration and not to let the defendants who directed plants in the Eastern Zone suffer for these excessive difficulties in the production of evidence.

OPENING STATEMENT BUERGIN

-----  
CERTIFICATE OF TRANSLATION  
-----

18 January 1949

I, Ludwig Borinski, AGO No. 34486, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Opening Statement Buergin, page 1/ 1 -- 13.

Ludwig Borinski  
AGO No. 34486

"end"

-13a-



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Heinrich B U R T H F I S C H

English



*Case No. 6, Tribunal VI*

Opening Statement

of the

Defense Counsel Dr. Hans FLICKSCHNER

before the

American Military Tribunal No. VI, Nuremberg

for

Dr. Heinrich Bue t e f f i s c h





OPENING STATEMENT BY DR. BUETEFISCH

Your Honors!

The Prosecution has sketched, or rather has tried to sketch a picture of the accused Vorstand members of I.G. Farbenindustrie, a picture which is abounding in mistakes in perspective, misdrawings, misrepresentations and distortions. From their viewpoint the Prosecution arrive at judgments which were in no way justified by actual facts. The accused were men "who stopped at nothing". These were the words of the Chief Prosecutor when referring to them in his Opening Statement. He accuses them of "unmitigating presumption and unbounded scorn for the laws of God and man", and further maintains that "they judged themselves alone as fit to sway the destiny of the world. All their judgments sprang from a bottomless vanity and an insatiable ambition". For the rest he says: "They made of their power their only and highest God". Such accusations and recriminations are to be heard throughout the whole of <sup>the</sup> Prosecution's speech. That is there in it on the other hand that is true? I cannot concern myself here with the accused as a whole, but shall confine myself to the accusations levelled at the accused Dr. Buete-fisch, whom I represent, with reference to the whole of his activities within the I.G.

He has been a member of I.G. for 25 years. First in the laboratory, and then as Works Assistant in the Leuna plant; he advanced until he finally took over, together with his colleagues Schneider, the entire management of the Leuna plant;

OPENING STATEMENT BUETEFISCH

he advanced until he finally took over, together with his colleague Schneider, the entire management of the Leuna plant, a post which he filled until 1945. It is the career of a gifted, capable, chemist and technician, whose life was taken up with the development and extension of chemical synthesis in the sphere of coal, which in the course of the Prosecution's speech became known to the Court as the sphere of production of Sparte I. The extent of the duties undertaken by Dr. Buete-fisch with his gradual incorporation into this great field of research, development, and technical extension cannot be estimated from the fact of promotion into a new position with I.G. . It is rather developed organically and grew with the ability to recognize technical possibilities in any sphere, to develop them, to appreciate them properly and to organize their utilization. In such a large and leading chemical firm as I.G. Farbenindustrie, people with such ability could come to be specialists in their particular field and not only be recognized as experts inside Germany but as first class specialists beyond the boundaries of the Reich. It can indeed be said that Dr. Buete-fisch was considered as such a technical expert in the field of nitrogen, and later that of mineral oil and its auxiliary branches. He was instrumental in the development of synthetic nitrogen, and synthetic mineral oil and hydrocarbons, and was responsible for the technical and orderly functioning of the plants for which he had been made responsible.



OPENING STATEMENT BUECHERFISCH

It is obvious that a man who is outstanding for his achievements in his special field will have many calls made upon him by his firm as well as by others, and that his co-operation will be sought from all sides. So it came about that Buechertisch duties grew, but not, as the Prosecution maintains, out of personal ambition, but simply as a result of his technical ability, his diligence, and his organizing capacities.

When the development of German internal economy made great demands on the utilization of German raw materials, a development to which the economic leaders had been forced for want of surplus foreign currency, Herr Buechertisch had conferred upon him a number of duties connected with Parte I. His activity, however, was always confined to technical duties, or those connected with technical organization, within his own field. Thus from 1934 onwards, he was Head of the Technical Commission in the Nitrogen Syndicate, and as early as 1931 was elected Chairman of the Technical Expert Committee at the International Nitrogen Conference, by all nations taking part. He was made a member of the governing board of various companies. Like many other German scientists, technicians, and industrialists, he was inducted for honorary co-operation

OPENING STATEMENT BUTTERFISCH

into the Office for Economic Development and being a specialist in the mineral oil branch during the war, he was appointed to the deputy leadership of the Economic Group Fuel. It would be absurd to try to conclude from these private economic and other activities of his, in official and semi-official offices, that he had knowledge of the latest intentions of the Government, especially as the Government revealed its intentions only to the highest members of the Supreme General Staff and the Minister for Foreign Affairs. We cannot go into the activity of the German Economic Groups here, nor can we enter into the general activities of an honorary nature of the most varied technicians for the Reich Office for Economic Development. It will be sufficient to indicate here that the purely technical, economic duties which my client had to carry out within the sphere of his work had not the slightest bearing on political questions, let alone political decisions. As against this, the Prosecution authorities are trying to construe a connection between this activity of my client and the offences which Control Law No. 1 designates as criminal. In the course of the evidence I shall have to explain this activity of my client in more detail.

The Prosecution has endeavored to bring the responsibility for political events, for governmental measures, and in particular for the waging of wars of aggression into close association with the achievements and works of the accused, including that of my client's work in the field of the chemical



OPENING STATEMENT BUETEFISCH

engineering, research and development in new fields, such as is everywhere customary in the economy of any state. Quite apart from the fact that on all these counts the Prosecution are lacking any conclusive evidence for the connections they assume, some individual accusations will be briefly considered in the following.

From a visit to Hitler made by my client in 1932 at the request of his firm, and merely for the purpose of seeking information on questions concerning mineral oil, the Prosecution deduces an alliance between I.G. and Hitler. Apart from the fact that at that time Dr. Buete-fisch was in no way authorized to represent I.G. in a responsible fashion, since he had not yet become a member of the Vorstand, the Prosecution has no evidence at all from which to deduce the existence of this alliance. This alliance is now further connected with the conclusion of a petrol agreement in December 1933. It should be mentioned at this point that evidence will be produced to show that there is no connection at all between this visit and the petrol agreement. The very nature of the petrol agreement included in the documents shows that this agreement was concluded with the Reich on a purely economic and commercial basis, and that there can be no question of any influence exerted by the Party on the Government offices drawing up the agreement. We will substantiate this fact with further evidence.

OPENING STATEMENT BUETEFISCH

In connection with this count an opinion will be expressed on the claim that I.G. synchronized their production with the German war machine, with particular reference to products coming under the technical direction of my client. I shall also submit evidence on this count showing that the connection claimed by the Prosecution is a meaningless construction, and clearly proving that in all the foregoing cases it is a question of normal economic developments. In particular I shall examine the accusation made to the effect that Dr. Buefisch, knowing about the fact that the Third Reich was planning wars of aggression, arranged an exchange of experimental data with American firms in the field of hydrogenation in such a way that the war potential of these countries was thereby weakened. I shall go into the question of the exchange of experimental data in general, and the work it involved for my client, and shall prove that the claims of the Prosecution are rendered untenable by the results of the exchange of experimental data which took place.

In Count II of the Indictment, the members of the Aufsichtsrat of Continental Cel A.G., one of whom was my client in his capacity as representative of I.G. Farbenindustrie, are made responsible for the execution of measures which the management of Continental Cel A.G. had to carry out in connection with the Eastern campaign on the orders of high Government offices.



OPENING STATEMENT BUETEFISCH

At the time of the submission of this evidence by the Prosecution I raised an objection and the matter was thoroughly discussed during the session of 20 November 1947. I shall return to this point at the appropriate time. I shall discuss what business activity the firm in question has developed and the question at issue then will be whether the Vorstand of the IG or Dr. Buetoefisch had any opportunity to claim or to exert influence on the business management of Continental Oel A.G. The legal interpretation which was expressed on the occasion of the submission of evidence by the Prosecution will also play a part in this.

I shall examine further cases brought forward under Count II of the indictment for my client only in so far as they are brought forward within the framework of the joint responsibility of the Vorstand of the IG asserted by the Prosecution, and only when it is necessary for the refutation of the legal joint liability asserted by the Prosecution.

Under Count III the Prosecution brings serious charges against the IG officials, and thus against my client also, on the grounds of their employment and treatment of foreign and forced laborers. Intentions or even methods such as are described by the Prosecution in their evidence as crimes against humanity are not the practice in the history of the development or in the conduct of the

OPENING STATEMENT BUETERFISCH

IG, whose achievements and general attitude with regard to social welfare were recognized far beyond the German borders. To justify their charges against the officials of the IG, who in fact embody the general attitude of the enterprise, the Prosecution has submitted a mass of evidence which was supposed to reveal the illegal engagement of workers and their treatment in the individual IG factories, particularly in Auschwitz. A critical examination of this evidence must be reserved until a later time. It can, however, be said even now that the Prosecution has committed a fatal error in using purely local occurrences, which have nothing to do with the IG factories as a screen and in generalizing from, and describing as typical, isolated cases which the witnesses have mostly submitted not from personal observation but from hearsay, and the Defense questions their admissibility. It has also never been elucidated in how far IG employees actually took part in incidents described in the Prosecution's evidence. On this subject the Defense will submit evidence from various quarters which will set the evidence submitted by the Prosecution to rights on the essential points.

In order that my client could be included in the charges brought, an attempt is made to make him responsible in general for questions of labor allocation.



OPENING STATEMENT BUETEFISCH

Quite independently of the factual examination of the above-mentioned Prosecution evidence, it will be the task of the Defense to investigate to what extent responsibility for the events submitted by the Prosecution can be deduced from Dr. Bueteffisch's sphere of work. On this matter, due consideration will have to be given to the far-reaching division of labor and the allocation of tasks within the Vorstand and in the administration of the individual factories within the IG, which were the main factors in making the work of the whole enterprise possible. In my presentation of evidence I shall bring proof that my client, within the limits of the functions and tasks entrusted to him, did everything in his power through the selection and supervision of the supervisors or Betriebsfuehrer allocated by him or through the administration of the Sparten, to ensure an orderly administration of the plants.

The various Betriebsfuehrer will, moreover, affirm in evidence that the plant management was indeed carried out in a proper and fair manner; any divergence from the faultless conduct of the IG would otherwise have to have been brought to the attention of my client or of the Sparte administration.

In my client's well-defined sphere of work for the technical and organizational interest of Sparte I within the IG, he had no

OPENING STATEMENT BUETEFISCH

decisions to make on special questions of the engagement of workers and their welfare. Besides his work as technical director of Leuna and chairman of various technical committees in syndicates and Economic Groups, he was chief supervisor of technical planning for the Sparte I building projects, such as Moosbierbaum and Auschwitz. I consider it expedient, however, to point out that my client was never chief of an IG Farben plant or of any other enterprise, so that he did not even belong to the Enterprise Advisory Council of the IG and consequently did not take part in the conferences of the Betriebsfuehrer.

It is therefore also misleading if the Prosecution tries to make the members of the Aufsichtsrat, and my client as chairman of the Aufsichtsrat of Puerstengrube f.m.b.H., responsible for the allocation of workers in the mines or the treatment of prisoners in the plants of this company. I have already pointed out that on legal grounds this view point of the Prosecution is untenable. I shall confirm this opinion through submission of further evidence, and prove that my client could not and did not exert any influence on the plant management and business management of these independent enterprises, so that my client's responsibility in this connection cannot be considered.



#### OPENING STATEMENT BUETEFISCH

Under Count IV of the indictment my client was charged with having been a member of the SS since 1 September 1939 and a member of the Circle of Friends (Freundeskreis). I shall prove that my client was never an active member of the SS, had no command, belonged to no society, performed no service in the SS, but that he was merely a so-called Honorary leader and that these are not to be considered as active members of the SS. We should like to point out here that the IMT judgment did not condemn persons charged before it because they belonged to the SS, in so far as they were purely honorary leaders. More evidence will be brought on this point too. On this assumption, however, Dr. Buetefisch cannot be condemned for belonging to an organization which has been declared criminal. In this connection the evidence on the Circle of Friends presented by the Prosecution in support of their assertion must be gone into and by the presentation of further evidence the nature of this so-called Circle of Friends will have to be subjected to a closer examination.

On Count V of the indictment the examination of the Prosecution's assertion will reveal through the submission of further evidence that there can be no question of Dr. BUETEFISCH's having taken part in a common plan to commit war crimes.

OPENING STATEMENT BUETEFISCH

In the interrogation which preceded the Prosecution's investigations details were required from my client which he had to produce purely from memory with no data. This gave rise to partially erroneous statements which were disclosed when Dr. BueteFisch had the opportunity to look up documents. In so far as such erroneous statements were found to have been made, these will be corrected in the course of the personal interrogation of my client.

CERTIFICATE OF TRANSLATION

I, Nina ELKAN, No. 39092, hereby certify that I am a duly appointed translator for the English and German languages, and that the above is a true copy of the English transcript of OPENING STATEMENT BUETEFISCH in which I have inserted such passages as had been omitted.

ELKAN Nina,  
No. 39092



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Walther D U E R R F E L D

English



Case 6  
Defense

MILITARY - TRIBUNAL NO. VI

Case No. 6

OPENING STATEMENT

for the

Defendant Dr. Walther DIERCKHELD

by:

Dr. Alfred SCHUL  
Attorney-at-Law



Seal



OPENING STATEMENT DUERRFELD  
-----

Mr. President, Your Honours,

In Count I the defendant Dr. Walther DUERRFELD is accused of having participated with diverse other persons during a number of years prior to 8 May 1945 acting through the instrumentality of Farben and otherwise in the planning, preparation, initiation and waging of wars of aggression and invasions of other countries. The Prosecution have not, however, been able to submit a single document which would justify the assumption that the defendant DUERRFELD had in fact participated in the planning or the execution of the actions which form the subject of this Count of the Indictment. Nor did he at any time occupy a position in Farben, or in the financial or economic hierarchy of Germany which might suggest the possibility that he influenced political or economic issues decisively in that respect. It must be noted especially that he was not a member of the Vorstand of the I.G. Farbenindustrie, of the technical committee (TMA) or of any other similar institution of the firm. When presenting evidence, or summing up evidence from the legal point of view, the Defense will therefore be able to limit itself to stating a few fundamental points regarding Count I.

OPENING STATEMENT DUERRFELD  
-----

The same applies to Count II of the Indictment in which the defendant DUERRFELD is charged with having committed war crimes and crimes against humanity together with the other defendants during the period from 12 March 1938 to 8 May 1945 by participating in the plunder of public and private property, exploitation, spoliation, and other offences against property in countries and territories which were occupied by German troops during the war. No indication can be found in any of the documents submitted by the Prosecution that the defendant DUERRFELD was in any way involved in the actions which form the subject of this Count of the Indictment.

We are therefore in a position to say at this point that neither Count I and Count II of the Indictment against the defendant DUERRFELD has been proven conclusively, so that the defendant DUERRFELD must be found 'not guilty' on that basis alone without considering the evidence submitted by the Defence or the legal evaluation thereof.

In Count III of the Indictment the defendant DUERRFELD is charged with having committed, together with the other defendants, during the period from 1 September 1939 to 8 May 1945 war crimes and crimes against humanity as defined in Article II of Control Council Law No. 10,



OPENING STATEMENT DUERRFELD

---

by participating in the enslavement and deportation to slave labor of members of the civilian population of the occupied countries and in the enslavement of concentration camp inmates.

In accordance with the scope of the Prosecution's case in chief in connection with this count of the Indictment the actions of the defendant DUERRFELD need only be examined insofar as his participation in the construction of the I.G.'s Auschwitz plant is concerned. In view of the fact that he was not a member of the Vorstand or of the Technical Committee and did not therefore have any influence on the question of the employment of foreign labor and of prisoners in general, it is not necessary to the defense of this defendant and to the determination of his criminal responsibility to offer a legal evaluation of the labor allocation of Farben in general and of certain other plants.

As the evidence submitted by the Prosecution has already shown, the construction of a fourth Buna plant in Upper Silesia was ordered by the highest planning authorities of the Reich at a time when it had become apparent that a speedy termination of hostilities could no longer be confidently expected and that the war was in fact a fight for the very foundations of the entire nation. In this connection I should like to draw your attention particularly to the letter written by General von Hanneken

OPENING STATEMENT DIERFELD

---

of the Reich Ministry for Economic Affairs to the defendant Dr. Ter Meer dated 8 November 1940 which has been submitted by the Prosecution as Exhibit 1408 (Document NI-11781). The defendant DIERFELD took no part in the selection of a site for the Fourth Buna plant, the construction of which had definitely been decided upon on 2 November 1940. But the evidence submitted by the Prosecution, and especially the reports of the defendant Dr. Ambros, have shown how completely incorrect the statement made in the Indictment is that the fact that there was a concentration camp in the vicinity of Auschwitz had been a decisive factor in the selection of a site for the new plant. In this connection I should like to draw the attention of the court to the contents of Exhibits 1412 (Document NI-11785) and 1414 (Document NI-11113). These documents, as well as several other documents, prove conclusively that the concentration camp near Auschwitz, which, by the way, was still very small at that time, was not an important factor in the selection of a site for the projected new plant, but that the Auschwitz area was chosen as a site for the new plant solely because all the other conditions for the construction and the operation of a plant of such dimensions were completely satisfied there, i.e. good traffic conditions, a large plain, supplies of coal, limestone, and water.



OPENING STATEMENT DUERRFELD  
-----

As far as the employment of prisoners from the neighboring concentration camp in the construction of the new plant is concerned, this too had been ordered by the highest planning authorities of the Reich at a time when the defendant DUERRFELD had no knowledge of the projected construction of a new Buna plant. I should like in this connection to draw your attention to the letter written by the Plenipotentiary for the Four Years' Plan to the Reichsfuehrer SS Himmler on 18 February 1941, in which under 3) Goering himself gives orders "for the supplying by the neighboring concentration camp for the construction of the Buna plant of the largest possible number of skilled and unskilled construction workers." The Prosecution has submitted this letter, copies of which were sent to Dr. Syrup, the State Secretary responsible for problems of labor allocation, to the plenipotentiary general for special problems of the chemical industry, and to various other offices, as Exhibit 1417 (Document HI-1240), and I should like to refer you to it for the details.

It was not until the beginning of March 1941 that the defendant DUERRFELD was asked by the defendant Dr. Buotofisch to assist in the construction of this new large I.G. plant, as it had meanwhile been decided that a plant for the production of high grade synthetic products (the so-called "Iouma Section") should be erected as part of the whole plant in addition to the Buna plant.

OPENING STATEMENT BY DUERRFELD  
-----

In this connection I should like to refer you to the affidavit given by the defendant DUERRFELD on 21 April 1947, which has been submitted by the Prosecution as Exhibit 288 (Document NI-8006). At that time DUERRFELD was Oberingenieur (Chief Engineer) at the Leuna works and head of the high pressure department. Since 1939 he had been employed in a supervisory capacity in the construction of the new I.G. hydrogenation plant at Poolitz.

Of the plans for the whole of the Auschwitz plant, which required the investment of no less than RM 560 millions, the defendant DUERRFELD was to deal with general technical problems relating to power -- and water supplied and with traffic regulation, in addition to his work in connection with the "Leuna plant". Plans for the whole of the giant plant were drawn up simultaneously at Ludwigshafen and at Leuna, as Sparto I as well as Sparto II took part in the construction of the plant. In this connection I should like to refer <sup>to</sup> the numerous minutes of building conferences at Ludwigshafen and Leuna submitted as evidence by the Prosecution. Until the autumn of 1942 the defendant DUERRFELD directed the construction and installation work with which he had been entrusted from Leuna. He did not move his office and his technical staff to Auschwitz until October 1942, when he took over the management of the site as construction and installation engineer with the commencement of the actual installation work.



OPENING STATEMENT DUERRFELD  
-----

He usually received his orders from the construction conferences mentioned above, at which the Vorstand was also represented. Together with the two chemists of the Buna and Synthetics Groups he represented the technical management of the plant. On 19 April 1944

he was appointed director together with these two chemists, Dr. Diebold, and Dr. Braus. Being an engineer, Dr. DUERRFELD was of course in charge on the spot while construction and installation work was in progress; as the plant started production, he was to hand over the responsibilities to a chemist as Betriebsfuhrer.

In the main, four groups of workers were employed in the construction of the I.G.'s Auschwitz plant: German workers, voluntary foreign workers, British prisoners of war and inmates of the Auschwitz concentration camp. When the plant was evacuated in January 1945 in the face of the approaching Soviet armies, about 30,000 workers were employed there. Amongst them were about 7,000 prisoners, as only a certain percentage of the total complement of Camp IV was employed in the plant at any one time.

In the years 1941 and 1942 almost all, and in 1942 no fewer than two-thirds of the prisoners were employed directly by the construction and installation firms who had been given the contracts, and received their instructions from them. The part played by the building management of the armaments ministry (Rue-Bauleitung) which was superior to the Farben plant management will be examined in detail in the course of the presentation of evidence.

OPENING STATEMENT DUERRFELD  
-----

As far as the presentation of evidence by the defense is concerned, its tendency and contents will be determined largely by the evidence submitted by the Prosecution but, the Prosecution's case in chief having been presented, the following statements can be made at this point:

A number of the assertions made in the Indictment have been refuted by the documents submitted by the Prosecution, and by their witnesses. This applies particularly to the figures on the turnover of workers mentioned in the Indictment, to medical treatment of prisoners and similar problems. I should like to refer in this connection to the contents of the sick book of Camp IV for the period from 7 July 1943 to 19 June 1944 which was submitted by the Prosecution (Exhibit 1493, Document NI-10186). During this period no fewer than 15,707 prisoners were admitted for treatment as in-patients in the hospital building of Camp IV. The entries in this sick book easily dispose of the assertions contained in the Indictment and the statements made by various witnesses for the Prosecution.

It can further be claimed that the evidence submitted so far has shown that the competent administrative offices of the Reichfuhrung-SS were solely responsible for the administration of Camp IV (Monowitz), where the prisoners were housed after 27 October 1942.



OPENING STATEMENT DUERFELD  
-----

In accordance with instructions received, Farben merely supplied the huts which served as billets including furniture and fittings, the camp differing in no particular as far as billets and furniture were concerned - apart from security measures - from the camps which Farben had constructed for German workers and for voluntary foreign workers. The reason for this is that what was later known as Camp IV had not, to start with, been intended as accommodation for concentration camp inmates at all, but as billets for voluntary workers. That was the reason why, to mention one example, Camp IV had an independent central heating system like the other camps.

Apart from that, Camp IV was one of the 40 to 50 SS labor camps which were scattered over the whole of Upper Silesia and which were subordinated administratively and as far as guards and medical care were concerned to the main camp at Auschwitz. The Commandant of Camp IV had to obey the orders and instructions issued by the Commandant of Auschwitz. The latter in turn received his orders from the Inspector of Concentration Camps at Oranienburg and from the head of the SS Economic Administration Main Office. As far as the execution of measures issued by the police or state police was concerned, orders and instructions were issued direct by the competent offices of the Reich Security Main Office, i.e. <sup>by</sup> the Reichskriminalpolizeiamt (Office V of RSHA),

OPENING STATEMENT DUER FELD  
-----

and by the Gestapo Office (Office IV of RSHA). Not the slightest opportunity was given to the management of the I.G.'s Auschwitz plant of interfering with the administration of Camp IV or with the treatment of the prisoners in that camp. The plant management was forced to limit itself to remedying abuses which had become known through complaints or suggestions.

It is of course impossible in the scope of this brief opening statement to deal in detail with the evidence submitted by the Prosecution. One thing the defense is, however, in the position to state at this point, and the evidence submitted by us will prove it conclusively; that the account of working conditions in the I.G.'s Auschwitz camp as given by the witnesses in their affidavits, does not correspond to the facts, and that it is based on an improper and inadmissible generalization and exaggeration of isolated incidents which may actually have taken place on one or the other of the building sites in the course of the years.

The evidence of the Defense will prove conclusively that the plant management of the I.G. at Auschwitz succeeded, in spite of gigantic difficulties owing to war time conditions, in building up this huge plant within a comparatively short period of time, and that this



OPENING STATEMENT DUERRFELD

---

construction work was accomplished under working conditions which were very much in keeping with the social principles which every German employer has for decades past observed as a matter of course. This is true especially of the defendant DUERRFELD, who considered social welfare work for all the workers entrusted to his care as part of his mission in life no less than the fulfilment of his technical and administrative tasks.

The evidence will show further that the works management at Auschwitz did everything in its power to make working conditions for the prisoners, too, as satisfactory as possible. Wherever possible this was done by the use of machinery and other technical aids. A network of 200 kilometers of ordinary and narrow <sup>railway</sup> gauge lines covered the factory area; almost 100 engines coped <sup>with</sup> traffic and transportation. A transportation system of trailer trucks supplemented railway traffic on the factory roads which were 32 meters wide; work on the building site was simplified and mechanized by a huge number of cranes, dredgers, pulleys, conveyor belts and other machinery.

Then again the works management tried, at a very early date, to employ the prisoners in accordance with their professional skills. Farben did not spare expense or efforts in order to train

OPENING STATEMENT DUERRFELD  
-----

as large a number of prisoners as possible, by means of course specially instituted for the purpose, to be fitters, mechanics, welders, bricklayers, and for other similar skills. On practically all building sites and in practically all installation work the prisoners worked together with German and foreign workers, which is, in itself, sufficient reason for stating that work at high pressure was completely out of the question. Wherever possible, the works management and the construction and installation firms bore in mind that full working efficiency could not be expected of the prisoners. The minutes of the construction conferences submitted by the Prosecution do, by the way, show that very clearly. Estimates and calculations of the output requirements of prisoners were therefore based on an output equivalent of 50 - 70% compared with the output of a free worker. I should like to mention in passing that a large number of prisoners were employed as draftsmen, accountants, payroll clerks, and in similar occupations.

The attempt is made in the indictment to create the impression that the fact that the prisoners were billeted in Camp IV in the immediate vicinity of the plant, would seem to argue a reprehensible attitude on the part of the works management of the I.G. Farben. In actual fact, the living and working conditions of the prisoners improved not inconsiderably on that account.



OPENING STATEMENT DUERRFELD  
-----

Not only was the laborious transportation abolished between the Auschwitz Stammlager and the factory some 8 km away, but the prisoners were removed in this way from the considerably less favorable general conditions prevailing in the large Auschwitz Stammlager. Last but not least it was important in view of the fact that the large Auschwitz Concentration Camp was continually being afflicted with severe typhus epidemics, and that at no time the danger of epidemics was successfully and finally removed. By quartering the prisoners in a labor camp removed from the main camp, the Works Management of I.G. Farben in Auschwitz was furthermore able to improve the food of the prisoners since it took over the purchase and delivery of foodstuffs according to the directives and subsistence rules, including heavy workers' allowances, laid down by the Reich Ministry of Food. However, the preparation and distribution of food was again the sole responsibility of the Camp Management, upon whom the Plant Management could exert no influence. The Buna soup repeatedly mentioned in the evidence was served to the prisoners in the I.G. Farben Plant in addition to their ration.

After protracted negotiations with the Camp Management, the Plant

OPENING STATEMENT DUERRFELD  
-----

Management also gradually succeeded in having the SS guard units removed from the actual plant grounds. From the beginning of 1943 they were posted outside the plant enclosure.

The evidence will further prove unequivocally that on the appearance of the first abuses the Plant Management issued a strong decree prohibiting the mal-treatment of prisoners. Last but not least, the defendant Dr. Duerrfeld referred to the strict observance of this prohibition at all of the larger meetings, and to the representatives of the 250 odd construction and assembly firms. Whenever a violation of this prohibition became known, the Plant Management called the offenders to account and if necessary lodged a complaint with the Commandant of the Camp.

This introductory explanation can naturally not be expected to give a detailed survey of the evidence which the Defense will present. In their opening statement the Prosecution also confined themselves without reference to definite evidence, to giving an account of working conditions in the plant, in so far as this seemed necessary to prove assertions made in the indictment. However the attention of the Court must at this point be drawn to a fact which may not be passed over in evaluating the total evidence; namely that the



OPINING STATEMENT DUMERFELD  
-----

Defense finds itself obviously short of evidence, in view of the special circumstances brought about by the collapse of Germany, and because of the varied origin of the workers in the Auschwitz Plant. In addition, the unions of former concentration camp prisoners which have been formed in Germany have forbidden their members, under threat of expulsion and loss of privileges, to place at the disposal of the Defense any evidence and in particular affidavits. We shall submit documentary evidence on this in due course.

On the other hand, many foreign workers and former prisoners of Camp VI, who were employed in the Auschwitz I.G. Farben Plant, are living today in their own countries under political conditions which make it impossible for them to give of their own free will, by means of affidavits, a true account of the actual working conditions in this I.G. Farben Plant. It cannot be expected of the Defense that they should endanger the freedom of these people by applying to this Court to have them called as witnesses. Under these circumstances, all the more weight must be attached to the statements of the workers and foremen of Farben and of the numerous construction and assembly firms, and above all to the statements of those prisoners, who in spite of the present prevailing conditions, have had

OPENING STATEMENT DUESPRFELD  
-----

the courage to place themselves at the disposal of the Defense, and give an account of the working conditions in the plant as they really were. The presentation of this evidence will show the Court what the picture conjured up by the Prosecution is a caricature and far removed from reality. How else could it be explained for example that a prisoner, a Jew, who has been in a number of concentration camps, makes in his affidavit, which will be presented by the Defense with many others of a similar nature, the following statements:

"I am a Jew. My father lost his life in the Dachau Concentration Camp. My mother and sister were gassed in Auschwitz-Birkenau. I myself was arrested in Italy with my father and deported to Germany, when we were trying to save ourselves from the clutches of the Gestapo..... As far as I know, the SS were solely responsible for the conditions in the Buna camp and not the I.G., as control and supervision in the Buna camp were the duty solely of the SS. The I.G. Farben had no influence on the Camp Management and the I.G. Farben people did not even have the right to enter the camp at will...."

After giving his opinion on the assertion of the Prosecution that there were torture chambers in Camp IV and that youthful prisoners were also to be found there, the witness continues in these words:

"Nor is it true that prisoners were ill-treated by the I.G. Farben or its agencies for insufficient output. It happened occasionally; it is true that sections of the SS ill-treated prisoners through laziness, but in so far as this was known to the I.G. Farben Plant Management, they took steps against it immediately.



OPENING STATEMENT DORRFIELD  
-----

I did not have any experience of prisoners being punished for not performing enough<sup>work</sup>. The prisoners were mainly punished when they communicated with the civilians in the plant in defiance of the SS decree forbidding this....

After a detailed account of conditions relating to working hours in the plant, food, quarters, clothing and medical attention, this former prisoner - who can certainly have no interest in giving a too favorable account of conditions after his own bad experiences - concludes his affidavit with the following words:

"It is true that prisoners in Camp IV who were unable to work were often shipped away to Birkenau or Auschwitz I. It is possible that some of them were killed there; I do remember however that I later met some of my co-prisoners who were taken away from the Buna camp as incapable of work, in good health in the main camp, so that I have to assume that after being taken from the Buna camp they were cured in the main camp. There can be no question of a 300 % turnover of prisoners in Camp IV. Perhaps this conception arose from the fact that in the first years the number of camp inmates fluctuated because transfers took place between individual camps. For example in March 1943 some Blocks of about 3,000 prisoners with the Block leaders (I remember the names Hermann Dinanski and Van Felsen) were transferred in a body to another camp, but I am not aware of the reasons for this transfer.

Summing up, I would like to state explicitly, for the sake of justice, that the prisoners working with I.G. Farben were much better off as regards quarters, food, clothing etc. than other Concentration Camp prisoners. I attribute that to the efforts of the I.G. Farben Management. It is accordingly not true either that up to 100 prisoners died at their work daily. I remember, to be sure, some isolated cases

COMBINED STATEMENT DUKERFELD

where a prisoner died at his work. But it had nothing to do with the output demands made by I.G. Farben nor with treatment received from I.G. Farben. Finally I should like to stress the fact that compared with Birkenau, the Buna Camp was a paradise. During all the time spent in concentration camps, I have never felt less in danger of death than I did in the Buna camp. I can therefore only explain the statements about which I have been informed, which were made in the indictment about the Auschwitz Farben Plant, and the labor camp situated there, by saying that it must have been confused with the Birkenau Camp....."

Another former prisoner of Camp IV, also a Jew, who spent a full 3 years in this camp, expressed himself in a similar fashion. After previously having been in the Buchenwald, Gross-Rosen, Dachau and Auschwitz I concentration camps, he came on 27 October 1942 with the first prisoners to Camp IV in Monowitz, where he stayed until the camp was cleared on 16 January 1945. He worked daily. After giving a detailed account of the conditions in respect to quarters, food, and medical attention in Camp IV, the witness makes the following statements with regard to the working conditions in the plant:

"The labor details were always assigned to the construction and assembly firms of I.G. Farben, and had nothing to do directly with the I.G. Farben management. At first guard duty was carried out by the SS in the place of work, but this was later discontinued, and the prisoners could therefore move about freely inside the I.G. Farben Plant. Neither the I.G. Farben nor the firms carrying out their orders ever possessed any disciplinary or punitive powers, nor did they exercise any. I know that the I.G. had strictly forbidden their staff members to ill-treat the prisoners in any way.



OPENING STATEMENT DUERRFELD  
-----

I even know of two cases where the assembly workers of the MAN were reported to the political management of the camp by the I.G. Farben for mistreatment of prisoners and were severely reprimanded. The speed of the work on the building site was adjusted according to the work and was in proportion to the strength of the prisoners, and it could not be described as murderous. In the I.G. Farben Works in general, no one ever worked himself to death, but spared himself wherever he could...."

After describing the bonus system established by the works management of the I.G. Farben commenting on the turnover of the inmates of Camp IV, this witness comes to the following definitive conclusion:

"It is wrong to assert that a number of prisoners died daily of exhaustion at the places of work. It is true that deaths occurred at the places of work, the cause of which was in no case to be attributed to the work performed. To sum up, I can say that prisoners who worked for the I.G. Farben were better off in comparison with other concentration camps in Germany, for they were well housed and could move about in the works like free workers. This gave them the opportunity to come into touch with the free workers and, by this contact, psychologically and materially to relieve their lot. It was certainly not in the interests of the Management of the I.G. Farben to increase the hardships of the prisoners. I know of no case where the Management took any action to prevent their mixing with the free workers. This would even have been practically impossible, as we as prisoners worked side by side with the free workers. Through this treatment, we gained the inner peace and security, and the hope that we might survive our imprisonment. The cruelties charged against the Management of the I.G. Farben/the Indictment, and supposed to have taken place in Monowitz can, according to my experiences during my three-year period of imprisonment in Monowitz, be described as completely unfounded."

OPENING STATEMENT DUERRFELD  
-----

As third and last example, we want to refer to some statements contained in the affidavit of a former prisoner, who arrived in Camp IV, after having spent considerable time in the concentration camps Laut-  
hausen and Gusen and various other camps. After a detailed description of the working conditions in the Auschwitz Works of the I.G. Farben he comes to the following conclusion:

".....During the years of my stay in Monowitz, I gained the conviction that the I.G. Farbenindustrie did not regard the prisoner allocation as anything desirable, but considered it as an unavoidable evil and a heavy burden; also that, within the limits to which they were restricted, they constantly tried in every way to improve the living conditions of the prisoners and to keep them in a humane and decent manner. In conclusion, I am convinced that thousands of prisoners - and Jews above all - owe their lives to the better housing and maintenance conditions in Monowitz, compared to other working camps, and to the much better working conditions in the I.G. Works..."

The contradiction between the statements of these witnesses and the further evidence put forward by the Defense on the one hand and the statements of various witnesses and the affidavits of the Prosecution on the other hand is obvious and cannot be overlooked. The Prosecution will not be surprised by it - they have had opportunities through the testimony of many prisoners and a large number of foremen and masters of the I.G. Farben and of the numerous building and assembly firms, to form a fairly accurate picture of the real conditions in the Auschwitz works of the I.G. Farben.



OPENING STATEMENT DUERRFELD  
-----

The evaluation of the results of the entire evidence presented will furnish an opportunity to go into these contradictions in the statements of the witnesses in detail and it will then be seen that the Defense witnesses came much closer to the truth, because they did not allow themselves to be led in their statements by human feelings, however understandable, by political intentions or by other personal considerations.

The same applies to the attempt of the Prosecution to establish by all means a connection between the regulations of the works management of the I.G. Farben and the working conditions in these plants on the one hand and the extermination measures against the Jews in the Birkenau concentration camp on the other hand. There has never at any time been such a connection and not the slightest proof has been submitted that the works management of the I.G. Farben in Auschwitz issued any orders or regulations which could in this connection be counted against them as crimes.

As far as the witnesses of the Prosecution have made any statements on this question they have consisted exclusively of suppositions and conclusions. Not a single witness was able to state any facts which would even distantly justify the assumption of illegal and guilty behaviour on the part of any member of the works management.

OPENING STATEMENT INIERRFELD  
-----

The evidence submitted by the Defense will show, on the contrary, that - to name one example only - the figures given by the Administration of Camp IV to the works management concerning the working force of the camp were such that no doubts could have arisen on the part of the works management. Such doubts would be the more unlikely to arise as these figures were not divided into arrivals and departures, but merely showed the actual numbers of camp inmates at any given time. This figure was, however, constantly increasing because of the ever more numerous allocation of prisoners to the building site and because of the enlargement of the camp.

Whatever judgment, however, the Court may reach after the presentation of the evidence and whatever conclusions it may draw from it, one fact allows us to look forward with confidence to the result of this trial and to its later evaluation, namely, not only do the powerful foundations of these giant works still exist in Auschwitz today, built under German direction by technicians and workers from nearly all the countries of Europe, together with German workers, under the most difficult conditions imposed by the war, but in nearly all the countries of Europe, including Germany, there are still living today tens of thousands of former members of the works staff.



CASE 6 -- TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Fritz G A J E W S K I

English



*Defense*  
*Case 6*

O p e n i n g   S t a t e m e n t

by Dr. Ernst Achenbach  
Attorney-at-Law in Essen

before the Military Tribunal No. VI

in Case VI

United States of America  
against  
Ka-rl Krauch and Others

on behalf of

Dr. Fritz Gajewski

Nuremberg, December 1947.

*Gajewski*





May it please Your Honors:

Before submitting to the Court my own opinion about the alleged crimes the prosecution charges these defendants with, I want to pay tribute to the extraordinary amount of energy and subtle intelligence spent by the very able representatives of the prosecution on trying to prove that these defendants, most of whom are well-known and held in high esteem among leading business men, industrialists and scientists the world over and last but not least in Your Honors' own country, are in reality sinister persons worse somehow than Hitler himself. I dare say that in spite of all their ability and intelligence the prosecution did not succeed in this impossible task, and with Your Honors' kind permission I do not want to conceal my doubts about the political wisdom of their decision to try it.

There is an irresponsible way of pinning labels on people which one should not indulge in, if one wants to build up the reign of justice and liberty, we are all longing for, and for the support of which many of the best citizens of this unhappy German nation still look with fervent hope, which must not be deceived, to that great land of liberty beyond the Atlantic so admirably and enthusiastically described in the poetry of Walt Whitman. One unfortunately finds that regrettable habit in some other parts of the world, but I am told that one of the guiding principles of Your Honors' country is to put a

stop to the spreading of these methods. The chief counsel for the prosecution reminded us in his opening statement of the fact that we have been told from the mountain to judge not that we be not judged. Listening to the rest of his speech and especially to his last sentence I could not help feeling that he had forgotten the profound wisdom of that rule.

The prosecution do not hesitate to charge all the defendants with crimes against peace. They are alleged to have planned, prepared, initiated or waged wars of aggression and to have participated in a common plan or conspiracy for the accomplishment of such wars of aggression. The defense maintain that not even a prima facie case was made out. As I already had the occasion to point out to the Court, the prosecution did in fact prove - but as far as that is concerned we might have made a stipulation - that I.G. Farben was a big firm, was an efficient firm and as many other firms in Germany did take part in German rearmament, just as innumerable firms in other countries took part in the production of armaments in their countries. The prosecution seem to think that that is enough in order to establish against all the defendants a crime against peace. I respectfully submit to Your Honors that that is not enough. It was not enough for the International Military Tribunal. In the grounds of its judgment concerning the defendant Schacht it is stated:

"It is clear that Schacht was a central figure in Germany's rearmament program and the steps which



he took, particularly in the early days of the Nazi regime, were responsible for Nazi Germany's rapid rise as a military power. But rearmament itself is not criminal under the Charter. To be a crime against peace under Article 6 of the Charter it must be shown that S-chacht carried out this rearmament as part of the Nazi plans to wage aggressive wars."

Do counsel for the prosecution really intend to go beyond the principles laid down in that judgment? Do they intend to rely on Article II 2 f of Control Council Law No. 10 according to which it could seem that any person who held a high political, civil or military position in Germany or held a high position in her financial, industrial or economic life is automatically deemed to have committed a crime against peace. Your honors, I simply cannot conceive of that. I cannot conceive of that provision's idea being to establish the legal basis for wholesale punishment of thousands and thousands of honorable citizens. I cannot conceive of any counsel bred in the spirit of true liberalism, freedom, and democracy who would think of giving that interpretation to that provision.

I do not want to be unfair and say that the prosecution did not see the danger of such an interpretation. I quote from General Taylor's speech:

"This provision we believe is not intended to attach criminal guilt automatically to all holders of high positions, but means rather that legitimate and reasonable inferences are to be drawn from the fact that a defendant held such a position and places upon him the burden of countering the inferences which might otherwise be drawn."

What General Taylor obviously tries to do is this: he wants to shift the burden of proof. Practically speaking

that mounts up to the same result, as if he flatly did construe the above mentioned provision in the indicated impossible way. And there we simply cannot follow him. We all know the old Latin saying: negativa non sunt probanda. This is not a denazification court, this is a criminal court and we therefore have to stick to the elementary principle recognized by the penal laws of all civilized nations that if somebody is to be punished his personal guilt must be proved. In this very court house Military Tribunal II on 16 April 1947 in the case: United States of America v. Erhard Milch gave eloquent expression to this fundamental principle by stating:

"We must never falter in maintaining, by practice as well as by preachment, the sanctity of what we have come to know as due process of law, civil and criminal, municipal and international. If the level of civilization is to be raised throughout the world, this must be the first step. Any other road leads but to tyranny and chaos. This Tribunal, before all others, must act in recognition of these self-evident principles. If it fails, its whole purpose is frustrated and this trial becomes a mockery. At the very foundation of these juridical concepts lie two important postulates: (1) Every person accused of crime is presumed to be innocent, and (2) that presumption abides with him until guilt has been established by proof beyond a reasonable doubt.

Unless the court which hears the proof is convinced of guilt to the point of moral certainty, the presumption of innocence must continue to protect the accused. If the facts as drawn from the evidence are equally consistent with guilt and innocence, they must be resolved on the side of innocence. Under American law neither life nor liberty is to be lightly taken away, and, unless at the conclusion of the proof there is an abiding conviction of guilt in the mind of the court which sits in judgment, the accused may not be damnified."

For our case this means that these defendants are only guilty of a crime against peace if they knew that



their government had specific plans to wage wars of aggression and if with clear and specific knowledge of those aggressive plans they knowingly gave their help to the realization of these plans. Did Hitler tell them about his plans? He certainly did not. I respectfully submit to Your Honors that he told them and the German people the exact contrary. Isn't it significant in this connection, Your Honors, that Hans Fritzsche, who was in charge of informing the German people through the German press and radio services of what was going on, was acquitted by the International Military Tribunal?

In spite of that the prosecution seem to want to contend that it was a matter of common knowledge among the people of Germany that Hitler wanted to go in for wars of aggression. As their key witness they produced Hitler's interpreter. Now, whatever one may say about him and about what he was obliged to admit during his cross examination, one thing is certain, he is not a witness to be able to prove anything at all about common knowledge. If one wants to know what common knowledge was, one will have to turn to those things the German press and the German radio let the German population know about their government's declarations and intentions. Your Honors will find that the word peace occurred far more frequently than the word war.

It will be my duty within the general frame of the defense to submit to Your Honors the evidence concerning what was common knowledge and what was not. In order, however, that there is no misunderstanding about my

position, I want to say that this question is according to the clear findings of the International Military Tribunal irrelevant. In order to avoid repetitions I should like to refer in so far to the motion my colleague von Metzler read to the Court yesterday. I shall therefore offer this evidence concerning common knowledge only if the Court takes a different view from that expressed in the IMT judgment.

Right here, though, I should like to say a few words about the argument that by the foreign press and by foreign radio the German people and these defendants heard different things. I think that common sense tells us without long discussions what such an argument would be worth. I am not of the opinion that the normal decent citizen in any country can be expected to assume that his own government is by definition crooked and that their opponents abroad are always right. As far as I know there are committees set up in America to investigate into so-called un-American activities and as far as I am told they think that people who rather than sticking by the official lines of their own legitimate government take their views from and shape their actions according to orders received from foreign quarters, are not exactly the very best citizens. In fact these committees seem to think that a certain loyalty to one's own country and its legitimate government is not a sign of particular stupidity, not even of wholehearted approval of any governmental decision, but rather a sign of national decency without



which no state and no social order could be maintained. In this connection I should like to draw Your Honors' attention to a very interesting decision of the Supreme Court of the United States rendered May 25, 1931, in the case of MacIntosh. MacIntosh, a Canadian theology professor who asked for his naturalization as a United States citizen, was ready to sign the declaration of allegiance to his new state with the reservation, however, that he claimed the right to decide for himself if a future war waged by the United States was a just or an unjust war. In the latter case he declared he would not be in a position to give help to his new state. The Supreme Court decided that while they were prepared to recognize so-called conscientious objectors, they were not prepared to accept that a United States citizen declared that it was up to him to decide whether in a concrete case of war he would give help to his government or not.

If in view of the charges of Count I of the indictment I now turn to my client, Dr. Gajewski, I only want to repeat that he did not know that Hitler planned wars of aggression. On the contrary, being a straightforward personality, he had until the outbreak of war confidence in Hitler's repeated solemn peace pledges. From the many examples I shall here only quote a few. In his speech before the German Reichstag on May 17, 1933, Hitler said:

"No new European war would be able to replace the unsatisfactory conditions of today by something better. On the contrary, neither politically nor economically any application of force could create in Europe

a situation more favorable than the situation which exists today. Even a decisive success of a new European solution by force would have as final result a disturbance of the European equilibrium and would thus in one way or another lay the germ for new oppositions and new complications. New wars, new sacrifices, new insecurity, and new economic need would be the result. The outbreak of such a folly without end must lead to the breakdown of the present social and political order. A Europe drifting into communist chaos would bring about a crisis the extent and duration of which could not be foreseen. It is the most earnest desire of the national government of the German Reich to prevent such an unpeaceful development by their sincere and active cooperation."

In his speech before the workers of the Siemens plant in Berlin, Hitler said on November 10, 1933:

"One should really not attribute to me that I am so idiotic to want a war. I do not know how many of the foreign statesmen participated in the war. I was in it, I know it... We want nothing but peace."

On February 20, 1938, Hitler said in the Reichstag:

"Relying on her friendships, Germany will not leave a stone unturned to save that ideal which provides the foundation for the task which is ahead of us-- peace."

Furthermore my client had been deeply impressed by the apotheosis of peaceful international competition during the Olympic Games 1936 in Berlin and had wholeheartedly approved of and believed in Neville Chamberlain's declaration at his return to England after the Munich conference and after his signature of a consultative pact with Hitler that this meant "peace in our time".

On January 30, 1939, again in the Reichstag, Hitler said:

"During the troubled months of the past year, the friendship between Germany and Poland has been one of the reassuring factors in the political life of Europe."



And last but not least on April 28, 1939, Hitler in a further speech before the Reichstag declared:

"I have regretted greatly this incomprehensible attitude of the Polish Government, but that alone is not the decisive fact; the worst is that now Poland like Czechoslovakia a year ago believes, under the pressure of a lying international campaign, that it must call up its troops, although Germany on her part has not called up a single man, and had not thought of proceeding in any way against Poland..... The intention to attack on the part of Germany which was merely invented by the international press...."

Can a man whose work certainly did not leave him much time for philosophic speculations about the vicious aims his government might or might not have, but who knew that Austria and the Sudeten area were populated by authentic Germans and who remembered the fact that for centuries Czechs and Slovaks had lived in peaceful communion with Germans within the orbit of the German Reich be expected to assume that while saying all these peaceful and reasonable things Hitler secretly had made plans for a war of aggression against Poland and had informed a very limited number of men belonging to his inner circle about these aggressive plans? It is quite obvious one cannot expect that. It seemed obvious to the International Tribunal and that is why they acquitted a considerable number of defendants, who certainly held higher positions and had more insight than my client, of the charge of having committed a crime against peace.

If the prosecution should object that in spite of these peaceful declarations my client must have come to a different conclusion in view of the German armament efforts I can only say that in order to understand the

psychological situation in Germany concerning rearmament it seems to me worth while to remind Your Honors in this connection of the fact that German disarmament after world war No. 1 was to be according to the provisions of part 5 of the Versailles Treaty, to Art. 8 of the Covenant of the League of Nations as well as of Point 4 of Wilson's 14 points, only the beginning of general disarmament and that throughout the long years of negotiations about disarmament and security it was Germany's constant aim to remind the other nations of the fulfillment of their disarmament pledges and to achieve equality on the basis of its own reduced level of armaments.

Chancellor Bruening said in an interview given to a representative of the International Broadcasting Company and broadcast by all radio stations of the United States on February 15, 1932:

"The military forces of Germany are not even a sufficient frontier protection against the aggression of one or several of her highly armed neighbors. Germany's lack of arms is particularly evident in the air. She has absolutely no means for her defense. Not only the airforce is forbidden to her but even any anti-aircraft defense from the ground. In case of war the cities of Germany would be exposed without any protection to the gas, incendiary and explosive bombs of enemy planes. You will admit that that is an untenable situation which must in view of their security be of the greatest concern to the German people. The demand for equality with the other nations, which I put forward in all clarity in my speech at the disarmament conference at Geneva is therefore a self-evident conclusion from the effectively existing conditions.....

The German people especially the German youth very deeply resent this state of disqualification and part of the political unrest in Germany has its origin here .....

The demand for equal rights and equal security is shared by the whole German nation. Every German government will have to stand-up for this demand."



In fact evidence can be introduced to show that the Hitler government took in Geneva the same stand that Bruening had taken and German rearmament was only begun when the German efforts of many years in endless disarmament discussions in Geneva and elsewhere had proved a failure because of the intransigency of Germany's neighbors.

As far as my client is concerned I must in addition underline the fact that the plants he was entrusted with concerned products which were essentially peaceful, i.e. photographic products and artificial fibres. My client is entitled to point out not without pride that the AGFA, thanks to his constant efforts to push the research work of his able collaborators into this direction, developed a process for colored films which is with reason considered as one of the best if not the best in the world. The outbreak of war did not further, but hamper my client's peaceful efforts. I can therefore assure Your Honors that my client did not rejoice when war broke out nor did he ever hear that his colleagues had bellicose tendencies. Certainly none of his colleagues ever told him of having knowledge of any aggressive plans of the German government. It is true, once war had broken out - a war which the German government presented to the German people as a defensive war especially by pointing to the fact that England and France had declared war upon Germany - , my client did not wish his country's defeat. He stuck by it, but there, too, I submit to Your Honors that that is an attitude nobody in good faith is entitled to blame him for.

The International Military Tribunal recognized this view when in the grounds of its judgment concerning the defendant Speer it stated:

"His activities in charge of German armament production were in aid of the war effort in the same way that other productive enterprises aid in the waging of war; but the Tribunal is not prepared to find that such activities involve engaging in the common plan to wage a-ggressive war as charged under count one or waging aggressive war as charged under count two."

As far as the charges under Count II of the indictment are concerned I can leave their discussion to those of my colleagues whose clients were engaged in the negotiations which led to the arrangements the prosecution styles as plunder and spoliation. The evidence introduced by the prosecution does not bear out this contention.

Turning to Count III of the indictment my client assumes the responsibility for the Wolfen film plant whose immediate head (Betriebsfuehrer) he was. As far as the employment of foreign labor, inmates of prisons and inmates of concentration camps as such is concerned I respectfully submit to your Honors that this fact alone, given the German legislation and the war situation, cannot be considered as a sufficient basis for justifying criminal proceedings against my client. The legal problems relevant in this connection will be at length discussed by my colleagues. The defense is in a position to introduce evidence to prove that my client acted in such a way that no other decent man in his position at the same period and under the same circumstances could have acted differently. We are able to prove, too, that conditions of work, the food and housing situation of all



persons working at the Wolfen film plant were such that one cannot contend they were bad. Dr. Gajewski did all in his power and issued instructions to that effect that especially the foreign workers received a decent treatment and were cared for to the extent the prevailing circumstances allowed. As far as the concentration camp inmates (a few hundred women from Ravensbrueck) were concerned they certainly preferred their work at the Wolfen film plant to the Ravensbrueck camp. They were not engaged in heavy work; the work was the same performed before by free German women. As to the other plants belonging to Sparte III and mentioned by the prosecution, i.e. Kamerawerk M-unich and Rottweil, they were run by able men whose moral qualities were such as to have gained them the confidence of my client. He could be sure that as Betriebsfuehrer of those plants the se men handled the personnel questions correctly, and in fact they did handle them correctly. As to the firm Kalle, controlled by I.G., but legally an independent firm with its own board of management there is no evidence produced by the prosecution which could imply my client. There too, however, we are in a position to prove that the Kalle board of management acted correctly.

As to the general personality of my client I propose to submit to the Court, evidence to show that he was imbued with principles of tolerance and humanity and that he certainly did not lack civil courage to stand up for his opinions. He was known among his colleagues as a person who definitely did not like to have other people

interfere with his own sphere, but who at the same time refrained from meddling with other people's affairs. In the "decentralized centralization" of the huge I.G. Dr. Gajewski was at the head of Sparte III and gladly assumed the responsibility this position implies. As to the rest of Farben's fields of activities he only knew about their general outlines such as they were submitted to the TEA and the Vorstand when he took part in the meetings of these gremiums. He there never heard anything which could or should have stirred him to take action in other fields than his own, the less so since he had and could have confidence in his colleagues as to the correct handling of their affairs. Concerning the honorary positions held by Dr. Gajewski the prosecution did not produce any evidence to prove that in these more or less formal activities something could be found to charge him with under any criminal aspect.

In concluding my opening statement I want to make one last remark concerning the last sentence of the prosecution's opening address. The chief co-unsel for the prosecution said: "There is no loyalty in these men -- not to science, nor to Germany, nor to any discoverable ideal." This charge wholly unwarranted by the evidence introduced by the prosecution is most deeply resented by Dr. Gajewski and I think I am entitled to say that all the defendants share his feelings. As to Dr. Gajewski's loyalty and personal integrity all those who have known him in Germany as well as abroad will tell the prosecution they are wrong and as far as Dr. Gajewski's



feelings toward Germany are concerned he loved and served his country as I imagine his colleagues in A-merica loved and served their own.

E N D

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Heinrich GATTENAU

English





*Defense  
Case 6*

OPENING STATEMENT

for the Defendant

Heinrich Gattineau

CASE VI

-----  
submitted by  
Rudolf Aschenauer  
Defense Counsel  
-----

*Eng.*



Opening Statement Gattineau

( Page 1 of original)

Mr. President!    Your Honors!

Seldom before has so much material been submitted in a trial by the Prosecution. Even more seldom, however, has so much been charged against the defendants in the press and in the indictment as is the case here. But never yet was so little proven as in the trial of Krauch and others.

The Prosecution loudly proclaimed IG's alliance with Hitler, which is supposed to have been concluded in 1932 by Baetefisch and Gattineau. We waited for the proofs with close attention. They failed to appear. What was left was a conference of an informational nature. If every conference of an informational nature in politics is to be considered the same as an alliance, then there would probably be more alliances than politicians.

If it had made a thorough investigation the Prosecution itself must have recognized the grotesque character of its allegation. It takes a great deal of imagination to set up the allegation that such an agreement was concluded during the life of a man like Bosch or Duisberg. It will be a minor matter for us to refute the charge of the indictment. In this connection I should like to quote only a couple of passages concerning the relations of Bosch and Duisberg to Hitler. Doctor of Laws Kurt Freiherr von Lersner, formerly President of the German Peace Delegation of Versailles, writes the following concerning the attitude of Carl Bosch toward Hitler and the NSDAP:

"The attitude of Carl Bosch to Hitler and the National Socialist Party can perhaps best be perceived from the crushing criticism which he sent to me in connection with his first meeting with Hitler: 'Hitler is nothing, nothing at all! That is all a deliberate swindle!'"

In the course of the following years Carl Bosch repeatedly declared to me: "Hitler will bring us all to ruin. I only hope he is at least not so stupid as to start a war. One would think that a man who had served in the World War as corporal



Opening Statement Gattineau

( Page 2 of original)

would at least not bring fresh misery and horror on the world, but with Hitler one can be prepared for anything."

At our last meeting in autumn 1939 Carl Bosch was quite broken up about the war in spite of all the reports of victory. During these hours he repeated several times: "Germany can never win the war and if Hitler should win it it would be a frightful calamity."

Further opinions which Carl Bosch frequently expressed to me throw a characteristic light on his views: "It is even more important to save the young people from the Nazis than to save science."

It should be generally recognized that he was always deeply concerned about a free science, independent of the Hitler party. This aim was the decisive factor for him in assuming his honorary offices, which weighed on him very heavily, for example, the presidency of the Kaiser Wilhelm Society. With respect to this he said to me more than once: "I'm sick of the whole Nazi riffraff, but I must remain in harness or else science is lost."

"The persecutions of the Jews are a shame and a disgrace which will be bitterly avenged."

"Peace, peace and again peace is the alpha and omega for us and the whole world."

Concerning the political attitude of Geheimrat Professor Dr. C. Duisberg there is a pertinent description available in which it says:

"I can testify that Herr Geheimrat Duisberg was always an opponent of National Socialism and remained so even after the assumption of power up to his death. There was no lack of attempts to win him over to National Socialism, but he in no way let himself be moved to pledge himself to the Party."

Opening Statement Gattineau

( Page 3 of original )

Thus Funk, subsequently Reich Minister of Economics, was in Leverkusen in 1931, but Herr Geheimrat Duisberg did not receive him. Later, among others, Dr. Schmidt-Pauli, Berlin, tried to interest Herr Geheimrat Duisberg in the Party. In his written reply to him Herr Geheimrat Duisberg wrote word for word as follows: "You will yet experience on your own body what it means if this party should ever come to power". (This correspondence was lost during the war.)

He also refused to take part in the assembly in the Industrial Club in Duesseldorf on 27.1.1932, at which Hitler was to speak. In the letter which, so far as I know, he wrote to Professor Dr. Hahn he termed it a calamity that German women professors, such as, for example, Fraulein Lise Meitner, should be removed from their positions only because they were Jews.

Herr Geheimrat Duisberg made very strong personal efforts on behalf of an understanding with other countries, above all with England. Thus he took a leading part in the conferences which took place in 1926 in Berlin between English and German industrial leaders. A further conference of this kind, in which, among others, the then English Minister of Communications, Ashley and the best known representatives of English and German economic life participated, was held from 11 to 13 June 1927 in Leverkusen."

Bosch and Duisberg were the leading personalities of the IG Farben and vigorous opponents of the NSDAP. In 1932 Buetevisch and Gattineau were uninfluential employees of the IG. In view of this actual situation, then, does the Prosecution seriously believe that these two men had concluded an alliance with the Party? In this connection the Prosecution has also overlooked one fact, that until 1933 Gattineau was a member of the Conservative People's Party, which, as is well known, Dr. Bruening/supported as Reich Chancellor.

The construction of the Prosecution seems really curious when a letter is dropped on our desk in which it says:

"Herr Geheimrat Duisberg was an especially energetic encourager of the idea of student self-help and in this he was



Opening Statement Gattineau

---

( Page 4 of original)

supported by Dr. Gattineau in the most vigorous possible way. During the years 1928-1932 I worked together with Herr Geheimrat Duisberg and Dr. Gattineau at numerous conventions and conferences which were concerned with questions of student self-help. From this work arose a cordial, personal friendship with Dr. Gattineau, who thought exactly as I did in political matters.

The part of the student body which stood behind me was anti-National Socialist. After Nazi majorities arose among the student body from local student elections I resigned from the student work about the end of 1931 in open conflict with National Socialism. I retained the leadership of the groups which were behind me and brought the latter together in an organization whose purpose was to work against the National Socialist German Students' League. In doing this we proceeded from the correct realization that the masses of the voters were strongly guided by the results of student elections and that after 1 or 2 years the same election results would appear in national politics which had previously been shown among the students. My activity and that of my friends who were similarly disposed now aimed at influencing election results in local elections by suitable propaganda and to force back the Nazi majorities. This was carried out with complete success at various universities and secondary schools until early in 1933. After our appearance the overwhelming Nazi majorities always shrank to a practically insignificant minority..

For carrying out these elections and procuring the assistance which was necessary to the organization money was needed. Accordingly, I got in touch with Geheimrat Duisberg and Dr. Gattineau and tried to secure funds for our activity. They were willingly given to me. In connection with this it became clear that Dr. Gattineau in particular exerted himself in this respect. I received the necessary funds through Dr. Gattineau until

Opening Statement Gattineau  
-----

( Page 5 of original)

the middle of 1933. Due to the impossibility of continuing our battle I then stopped my requests to Dr. Gattineau in this respect in 1933. On the occasion of the last presidential election Dr. Gattineau applied to me for and with the approval of Geheimrat Duisberg with the request that the circles close to me should declare themselves for the election of Hindenburg, who was put up as a rival candidate to Hitler. I willingly agreed to this. On the occasion of a reception at Hindenburg's house, which was chiefly attended by student circles and in which Dr. Gattineau took part on behalf of Geheimrat Duisberg, the student body submitted a request to Hindenburg that he stand again as candidate for the office of Reich President."

I believe that the allegation of an alliance by the Prosecution is -- I ask you to pardon the harsh expression -- so contrary to healthy common sense that it is almost superfluous to offer proofs against it. It is humorous to see how, in the effort to collect evidence, a fine confusion of names has crept into the charges! In the court session of 2.9.1947 it was alleged that Carl Duisberg informed the Reich Union of German Industry that "he was prepared to contribute to the Adolf Hitler donation", while emphasizing his outspokenly approving attitude. Dr. Curt Duisberg gives us the following correction to this:

"A confusion of names is involved here. It was not the Chairman of the Aufsichtsrat, Geheimrat Dr. Carl Duisberg, but I myself, in my capacity as head of the Central Committee Office, who was present at the conference with the Professional Associates of the Chemical Industry and prepared the file note of 16 June 1933."

Surely any of the defendants could have told the Prosecution this if they had been asked about it.

The absurdity of the Prosecution's . . . allegation becomes even more apparent if we consider the following circumstances:

Prevailing opinion in the National Socialist Party rejected the IG for the following reasons:



Opening Plea Gattineau

( Page 6 of original)

- 1.) As a Konzern it was opposed to the principles of the Party program.
- 2.) 40% of the members of the Verwaltungsrat (Administrative Board) were Jewish (C.v. Weinberg, A.V. Weinberg, V. Simson, Oppenheimer).
- 3.) Until 1937 25% of the members of the Aufsichtsrat were Jewish: Morton, Louis Hagen, Sigmund Warburg, Carl v. Weinberg, Arthur v. Weinberg, v. Simon, Otto v. Mendelsohn-Bartholdy, Max Warburg.
- 4.) In the affiliates Riebeck Montan: Arpad Plesch, Milton Seligmann, Lederer; at Rheinstahl: Flechtheim.
- 5.) The Office for Agricultural Policy of the Party demanded a further decrease in the price of fertilizer and opposed the I.G. In 1932 Darré declared in Munich that the Party had to attack the fertilizer prices for political reasons, that the Party just was against big business.
- 6.) Buerckel rejects the IG in principle.
- 7.) Ley was also not friendly towards IG, although he had to admit its social accomplishments. He had been dismissed from Leverkusen at one time, on the recommendation of Privy Counsellor Duisberg, for his attacks on Warburg and Louis Hagen.
- 8.) In regard to the question of German gasoline production the NS press, and the V.B. in particular, took a stand opposing the interests of the IG.

The Prosecution has made many claims about Gattineau in their opening statement. He is supposed to have been the economic advisor of Roehm, a leading political representative of IG who led the Wipo for 6 years. But they have not presented any proof of what Gattineau actually did.

What did Dr. Gattineau do?

Until the end of 1938 he was not a member of any IG committees. Not until the middle of 1938 did he become titular director of IG, and in the beginning 1939 commercial managing director of DAG Pressburg. He was never a member of the Vorstand of IG.

As has already been shown, politically he was a member of the Conservative Peoples Party until 1933.

Opening Plea Gattineau  
-----

( Page 7 of original )

In the middle of 1933 Roehm gives him the rank of an Ehrenfuhrer, which almost cost him his life. On 30 June 1934 he is supposed to be shot by order of Heydrich.

If the Prosecution had accepted the IIT verdict and the evidence presented there by the Prosecution and Defense, wherein is shown that Roehm and the highest SA leaders occupied the position of outsiders in NSDAP politics, at least between 1932 and 1934, they would not have reached their present conclusions in regard to Gattineau. This, and the consequent impotence of the SA are the reasons the SA was acquitted by the IIT.

To speak here of political influence of Dr. Gattineau is more than puzzling.

Undoubtedly the Prosecution has felt the compulsion to establish a connecting link between 1932 and 1939. Therefore another meaning than was actually the case had to be assigned to the Wipo, the Advertising Board (~~Arbeitsrat~~) etc.. To be sure, proof is still outstanding. <sup>They connect</sup> the establishment of the Wipo was bound up with the coming to power of the Party. That this is obviously wrong was already shown in the presentation of evidence by the Prosecution. The activity of the Wipo was inflated. From an office used for conveying and forwarding, as was shown by the interrogation and cross examination of Krueger, a highly important political instrument is artificially made. The efforts of the Prosecution in regard to the Wirtschaftsfuehrerkreis (Circle of Economic Leaders) or the Arbeitsrat (Advertising Board) of the German economy are similar.

The following situation will be found in the case of the Advertising Board:

The Advertising Board set itself the task of sponsoring and supporting the private initiative of the businessman. The elimination of unfair competitive practices and unsuitable advertising methods led to a close collaboration with companies in other countries, above all with advertisers in England, USA, Sweden, France and ended with the founding of the International Advertising Council by the International Chamber of Commerce in Paris. The procuring of foreign buyers for German products resulted from close collaboration with foreign expositions, chambers of commerce and governments.



Opening Plea Gattineau  
-----

( Page 8 of original)

The Advertising Board had no political tasks to perform: Political and artistic expositions were not subject to the laws governing advertising. The Foreign Office and the Propaganda Ministry had expressly forbidden any attempt at political propaganda by the Advertising Board.

The Prosecution also failed to offer valid evidence in the Austrian affair and in regard to D.G. Pressburg. In the "Austrian question" for instance, it will be seen that it was a matter of continuing negotiations with Skoda-Wetzler begun long before the Anschluss, and for the rest, that it was a matter of internal reorganization of DAG firms without any pressure of any kind from IG.

Furthermore, the Prosecution itself did not claim in its presentation of evidence that Gattineau participated in carrying out the negotiations of IG in Austria.

The Pressburg matter offers a significant insight into the evidence of the Prosecution. Gen. Telford Taylor claims with pathos (record: of 27 Aug. 1947, Germ.pg.181, Engl.pg190):

"After 1938 he (Gattineau) participated, as director of one of the largest IG factories, making explosives in the occupied territory, in supplying and abusing forced labor and in plundering."

Here too we had to wait for proof in vain. The Prosecution has not presented a single document. This would also be difficult to do. Because neither foreign labor, forced labor, concentration camp inmates nor prisoners of war were used as workers in Pressburg. There is just as little opportunity for the Prosecution to prove their contention that plundering activities occurred in Pressburg.

Under these circumstances it <sup>is</sup> perfectly understandable that Judge Morris pointed to the irrelevancy of the material until the beginning of hostilities in 1939. In my opinion this pertains above all to the defendant Gattineau.

When we keep in mind that that is the result of the efforts of the Prosecution for 2½ years, it is something less than a scanty result.

Opening Statement Gattineau  
-----

( Page 9 of original)

I do not wish to criticize the Prosecution. For it is difficult to present evidence against a defendant who had committed no crime according to the counts of the indictment. If the Prosecution were granted that much time again for its preparation, it would again have the same failure. The further development of the trial will show this clearly.



Opening Statement Gattineau

CERTIFICATE OF TRANSLATION

12 December 1947

We, John B. Robinson, X-046350 and Joseph E. Goesser, B 397933 hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Opening Statement Gattineau.

John B. Robinson  
X-046350

Joseph E. Goesser  
B 397933

"End"

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Paul HAEFLIGER

English





*Defense  
Case 6*

OPENING STATEMENT

of

Dr. von Metzler

before the

AMERICAN MILITARY TRIBUNAL VI, NUREMBERG,

for

Paul Haefliger

Case VI "Krauch and others".

*Eng.*



May it please the Tribunal:

In addressing Your Honors on behalf of my client Paul Haefliger, I do not propose to deal with the allegations of the Prosecution incriminating the activities of I.G. and its policy as such. Those general subjects will be covered by some of my colleagues in order to avoid repetitions.

Therefore what remains to be said in the case of Paul Haefliger is to raise the question of his personal responsibility for the <sup>policy</sup> of I.G. pursued before and after the outbreak of the war, which the Prosecution is blaming as having been criminal from the beginning to the end whereas the Defense maintain that this was definitely not the case, and that the Prosecution in presenting their evidence have grossly overshot the mark.

In reviewing the incredibly vast amount of evidence which the Prosecution have introduced in this case, there is among various other things one point which strikes the Defense particularly. It is the incredibly small amount of evidence -if any- which the Prosecution have put in on the question of the personal responsibility of each defendant for what has happened. Apparently the Prosecution maintain that I.G. was a criminal organization set up for the purpose of subduing or destroying whatever became entangled in its deadly networks. The Vorstand members of this "dangerous" organization apparently in the view of the Prosecution are responsible for whatever happened in this vast and complex concern, which in the indictment has been referred to as "a state within the state". The Prosecution, as far as I can see, do not attach any special weight to the question whether and to which extent the various defendants were personally connected with the numerous activities of I.G. which are



dealt with in the indictment. In order to avoid the necessity of going carefully into this complicated question, the Prosecution have in the first place introduced the charge of conspiracy as to practically all counts of the indictment. In the second place, to bear out their allegation that all Vorstand members are jointly responsible for the activities of their company, they are referring to the German Commercial Law and the By-Laws of I.G., which -by the way- have been wrongly interpreted by the Prosecution.

I do not wish to be hard on the Prosecution, but I regret to say that this approach to the problem of the personal responsibility of the defendants is -among others- one more striking example of the deplorable fact that the Prosecution apparently have not considered carefully enough the grounds of the IIT judgment.

As to the conspiracy, the Prosecution as far as I can see have not introduced any special evidence bearing out the fact that all defendants agreed to do or caused to be done the criminal acts alleged in the indictment. I may refer in this respect to the grounds of the IIT judgment which on page 16682 of the Transcript states the following with regard to the prerequisites of a conspiracy to commit crimes against peace. quote:

"The Tribunal must examine whether a concrete plan to wage war existed, and determine the participants in that concrete plan."  
.....

And quote.

... further quotation page 16683 of the Transcript reads as follows: quote:

"But the evidence establishes with certainty the existence of many separate plans rather than a single conspiracy embracing them all."

And quote.

In my opinion the Prosecution has not established any participation on the part of the defendants in any separate plan to wage war, not to speak of a conspiracy of the defendants with such aim.

Moreover according to the IIT judgment the conspiracy cannot be charged as a separate crime with regard to the crimes against humanity and war crimes. Reference is made in this respect to the arguments advanced by the Defense during the morning session of October 29th, Transcript page 2963. Therefore the Defense feel that the conspiracy as such cannot be considered as a legally sound approach to the problem of the personal responsibility of the defendants.

As to the second point which the Prosecution has made in order to establish the personal responsibility of the defendants, namely their alleged joint responsibility for the affairs of I.G. under its By-Laws and the German Commercial Law, I am afraid that in doing so the Prosecution is mixing up two kinds of responsibilities, one which is viewed from the angle of civil law and the other which has to be considered from the point of view of criminal law. In this respect the Defense feel that the following remarks in the grounds of the IIT judgment are of utmost importance. The IIT when dealing with the accused organizations (Transcript page 16929) and questions of judicial discretion connected therewith states the following:

note:

"This discretion is a judicial one and does not permit arbitrary action, but should be exercised in accordance with well-settled legal principles, one of the most important of which is that criminal guilt is personal, and that mass punishments should be avoided."

End note.

Now in my mind there can be no question that I.G. is not to be considered as a criminal organization in the meaning of



the Charter of IIT. If therefore the IIT is dealing with the responsibility of members of criminal organizations require that their guilt must be personal, this all the more -er to adopt a legal term: a fortiori- must apply to members of the Vorstand of a private industrial enterprise, who are not members of a criminal organization.

If the Prosecution would have gone more carefully into the grounds of the IIT judgment, they would have found again and again how the IIT -apart from the aforementioned example of the criminal organizations- in assessing the criminal responsibility of the various defendants let itself be governed by this important principle that "criminal guilt is personal".

I may respectfully draw Your Honors' attention to the fact that for instance the Reichs-Cabinet being in a broader sense a "Vorstand" of the enterprise "German Reich" with practically unlimited powers both political and economic and knowledge of facts which were not accessible to others, in spite of these circumstances has not been declared a criminal organization and therefore the members of this Cabinet have not been indiscriminately found guilty on the charges raised in the IIT indictment. The IIT has very carefully considered the state of mind of each defendant and has acquitted several defendants of various charges, notwithstanding the fact that these defendants belonged to the small group of men being the incarnation of the political will of the German people.

From all this it appears that in a criminal trial of this nature contrary to a civil law suit the responsibility of a Vorstand member must be derived exclusively from the facts and circumstances of his personal case to wit from his actual position within the frame-work of his company and his actual connection with the alleged crimes. In other words: It is his

actual position alone that counts when assessing the criminal responsibility of a Vorstand member and not the provisions of the By-Laws of the company respectively of the Commercial Law dealing only with his responsibility from the point of view of civil law, and it is on the basis of these actual facts that I propose with Your Honors' permission to present the case of Paul Haefliger and to introduce the evidence dealing with his personal responsibility. I would stress however most emphatically that my client does not propose to shun any responsibility for activities which fall within the special field of which he was in charge of. Moreover -let there be no misunderstanding whatsoever- that in defining his limited scope of responsibility, my client is absolutely convinced that his conduct was governed by any considerations other than normal and fair in any dealings concerning the business of I.G. and that therefore none of his colleagues can be incriminated with regard to such activities.

In the first place the Defense would like to submit that "personal guilt" in the meaning of the I.T. judgment is criminal intent and not negligence, the latter not being declared punishable neither in the Charter nor in Control Council Law No.10. Therefore it is besides the issue of this case to consider the question whether my client as a Vorstand member had the duty to investigate certain activities of I.G. of which he did not have personal knowledge and to prevent or otherwise oppose same, and whether by not doing so he has neglected his duty. The only thing that matters is therefore his actual personal knowledge of the existence of such alleged criminal activities and apart from this knowledge his taking there-



upon a consenting part in these activities. I may respectfully draw Your Honors' attention to the following passage in the grounds of the judgment of the Tribunal No.II in Case No.IV "Pohl and others" (Transcript page 8111), bearing out the fact that knowledge alone is not sufficient to convict a defendant on charges of this nature and that apart from this there must be established some sort of a positive activity on his part. I quote:

"The only consent claimed arises from imputed knowledge--nothing more. But the phrase "being connected with" a crime means something more than having knowledge of it. It means something more than being in the same building or even being in the same organization with the principals or accessories. The International Military Tribunal recognized this fact when they placed definite limitations on criminality arising from membership in certain organizations. There is an element of positive conduct implicit in the word "consent". Certainly, as used in the ordinance it means something more than "not dissenting".

End quote.

The first task of my defense therefore will be to prove the actual position of Paul Haefliger within the gigantic frame-work of I.G. and it is here where the facts come in.

In their just mentioned judgment re Pohl the Military Tribunal No.II has made the following interesting remarks on the question of the actual position of the defendants within an organization (Transcript page 8079): I quote:

"At the outset of the testimony, the Tribunal realized the necessity of guarding against assuming criminality, or even culpable responsibility, solely from the official titles which the several defendants held. .... The Tribunal has been especially careful to discover and analyse the actual power and authority of the several defendants, and the manner and extent to which they were exercised, without permitting itself to be unduly impressed by the official designations on letterheads or office doors."

End quote.

On the basis of these observations, which once more bear out the contention that in a criminal trial the actual circumstances under which the defendant lived and acted and not his position as viewed with the eyes of a civil lawyer are relevant, we respectfully submit to Your Honors that I.G. was such a huge and complex concern, that it embraced such a large number of the numerous fields of modern chemistry including also activities beyond the scope of chemistry as coal-mining, film industry and other fabricating industries, that it was absolutely unthinkable in view of this gigantic scope of business to assume any fair and expert knowledge of facts by a Vorstand member which were outside the special field allocated to him within this vast organization.

We submit that in fact the principle of decentralized centralization was put into effect to a large extent within the I.G., in other words: that in reality the different Sparten and Verkaufsgemeinschaften were practically independent firms, and that therefore the Vorstand members being in charge of those Sparten and Verkaufsgemeinschaften actually conducted the current business in a manner not dependent on the knowledge and consent of the other Vorstand members who in their turn had their own special tasks.

We respectfully submit that within this huge agglomeration of big chemical firms significantly called "I.G.", which derives from the German word "Interessen-Gemeinschaft" -meaning in English "community of interests"- Paul Haeffliger had a limited purely commercial task being a member of the staff of Verkaufsgemeinschaft Chemikalien



of which he was neither the appointed responsible leader nor the deputy leader. This task before the outbreak of the war mainly consisted of negotiating and supervising international conventions for various individual products in the heavy chemical field, which involved numerous and prolonged visits abroad. These activities coming to an abrupt end at the outbreak of the war, Paul Haefliger gradually gave up his connection with the heavy chemical field, took a second domicile in Berlin and practically limited himself from thereon to the supervision of the department "M", which erroneously has been interpreted by the Prosecution as meaning "metals", and to odd jobs in the metal field.

Turning now to Count I of the indictment I may refer to the motion of the Defense filed with this Tribunal during the morning session of December 17th, in which the Defense submitted that the Prosecution has failed to make out a prima facie case because according to the grounds of the IMT judgment the responsibility for crimes against peace is limited to a small group of leading personalities who had a special knowledge of certain secret plans of Hitler.

Apart from this the Defense will introduce evidence that Paul Haefliger had no knowledge whatsoever of any aggressive war being aimed at by the German government and that in view of his actual position he never was asked about nor concerned with any question relating to technical problems of planning and erecting Mob-plants.

Moreover it is submitted that Paul Haefliger is a Swiss citizen and for the time from 1934 up to 1938 was

the Swiss consul in Frankfurt. Therefore his collaborators insofar as they were under pledge of secrecy by regulations had to withhold from him informations about such matters.

As to the stock-piling of Nickel it will be shown that this in view of the prevailing conditions was a natural precaution which by no means meant a preparation for an aggressive war.

Apart from this evidence will be introduced on Paul Haeffliger's attitude towards the various foreign business-partners showing that he always conducted negotiations on a purely business-like and friendly basis, never pursuing any aims of weakening the potential and development of non-German industries, not to speak of making use of such opportunities for Nazi-propaganda. In addition the Defense will introduce extracts from speeches which Paul Haeffliger held in his capacity as Swiss consul before the Swiss colony in Frankfurt showing his democratic spirit and his love for peace. For completeness' sake we submit that Paul Haeffliger never was a member of the Nazi party nor of any of its affiliations nor did he hold any position in the government or the semi-official economic group "Chemical Industry" ("Reichsgruppe Chemie").

Turning now to Count II of the indictment, the cases of alleged spoliation in Austria and Sudetenland-Czechoslovakia have been already dealt with from a legal point of view in the motion filed by the Defense with this Tribunal during the morning session of December 17th.

Moreover evidence will be introduced showing that these cases by no means can be termed as acts of spoliation.



The part which Paul Haefliger played in these transactions will be put in the proper light.

The abovesaid applies to any other acts of alleged spoliation with which the Prosecution try to connect my client.

Turning now to Count III of the indictment the Defense submit that, bearing in mind his position as a commercial man, Paul Haefliger never had to do anything with the employment of workers or any other question connected therewith and that he had no connection whatsoever with any other activities covered by this count of the indictment. Although the Prosecution have not introduced any evidence on these points, the Defense will offer proof bearing out their contention.

As Paul Haefliger is not concerned by Count IV of the indictment and the charge of conspiracy under Count V has been dealt with already, this, Your Honors, brings me to the end of my Opening Statement.

Your Honors,

A gigantic canvas of evidence on the activities of one of the biggest concerns in human history has been unfolded before you by the Prosecution in these past months. And in all of us once more there was revived the recollection of the most cruel war within the memory of men which forms the tragic background of this trial.

This Honorable Court represents the proud tradition of a great country, which always stood for human liberty and dignity, and it is in the light of this tradition -we humbly submit- that, if we are to pay tribute

to the victims of this most terrible of all wars, we cannot do better than to let ourselves be guided not by emotions, political generalisations or hearsay, but by facts only which enable us to judge beyond any reasonable doubt of the responsibility of each defendant for what has happened.

And it is in this dispassionate spirit that I shall try to discharge my duty as counsel of the defendant Paul Haeffliger before this Court.



Reference  
Case 6

Opening Plea.

for

Dr. Erich von der HEYDE

before

Military Tribunal VI

Case VI

against KRAUCH and others

by

Attorney Karl HOFFMANN

*Kang*



OPENING PLEA VON DER HEYDE

Your honors!

My comparatively frequent appearances in this courtroom for the defendant Erich von der HEYDE were not qualified by the number of documents or affidavits submitted by the prosecution against the defendant Erich von der HEYDE.

My coming was motivated by the desire to assist in the search for the truth since I had come to the conclusion that neither the position nor the field of activities of the defendant von der HEYDE gave him any possibility of exercising any influence on the matters which are presented here for trial.

The reasons for this conviction I found in the following:

The defendant von der HEYDE was no member of the Vorstand of the I.G.

He was not a member of the Central Committee of this Vorstand.

He was neither plant leader (Betriebsfuehrer) nor department chief (Abteilungsleiter), neither Direktor nor Prokurist of the I.G.

From 1926 until spring 1939, i.e. for 12 years, he was a simple employee of the I.G.

Only in spring 1939 was he promoted from amongst the ranks of employees, by being made Handlungsbevollmachtigter.

This, however, he did not take him out of the ranks of simple employees of the I.G.; he remained one of them.



OPENING PLEA VON DER HEYDE

According to the conceptions prevailing in German industry the description senior official is only used for employees from the Prokurist upwards.

The defendant von der HEYDE, however, never was this.

It is therefore only correct and in accordance with the actual conditions in the German industry if the position of the defendant von der HEYDE as Handlungsbevollmächtigter is translated by "head clerk" and not with "power of attorney" as designated by the prosecution.

The defendant von der HEYDE held this last position for a relatively short time only, for as early as 1940 he was called up for service in the armed forces where he remained until the end of the war.

The I.G. did not consider it necessary to have him exempted from service in the armed forces.

These are proven facts, although the prosecution time and again speaks of a trial of 23 "leading directors of the I.G.",

After the prosecution has produced its evidence I am still convinced of the correctness of my first impression. I beg to submit to the Tribunal the reasons for my conviction.

The prosecution has submitted 1634 documents.

OPENING PLEA VON DER HEYDE

The number of documents in which the name of the defendant von der HEYDE appears or which he himself has drawn up, is extremely insignificant.

Even in these few documents the name of the defendant von der HEYDE appears to be as remote from the actual happenings which are on trial, as his position is remote from that of most of the other defendants.

The few documents, which the prosecution has submitted against him, are mainly records of the Commercial Committee of the I.G. in which the name of the defendant von der HEYDE appears.

I believe that I am entitled to state first that this Commercial Committee in itself did not represent anything criminal.

Beyond this it has been proved that the defendant von der HEYDE was in ~~any case~~ not a member of the Commercial Committee.

The few times in which his name appears in these documents, his presence is expressly stated as being "temporary".

The witness Frank-Fable, having been questioned why the defendant von der HEYDE was temporarily present at the meeting of the Commercial Committee, stated that for the sake of facilitating the work he had been requested to be present as expert on a single question.

He stated further that the presence of the defendant von der HEYDE had no bearings whatsoever on the actual decisions of the Commercial Committee.



OPENING FILE VON DER HEYDE

The Tribunal will find this on pages 1976 and following of the German transcript and pages 1980 and following of the English transcript.

With two exceptions which I am going to deal with immediately, I could otherwise find no documents, excluding his own affidavit and those of his co-defendants, in which the defendant von der HEYDE is referred to or mentioned at all.

One of the two documents making an exception is the letter written by the defendant von der HEYDE to the defendant SCHNITZLER in March 1940.

This is document NI-7626, exhibit No. 927, document book No. 49.

From this document it is apparent that up to the time it was written, that is 30 March 1940, the I.G. had neither organized a Fifth Column nor an espionage system abroad.

As far as I can see it is inexplicable why the prosecution submitted this letter at all, for it contradicts the assertion of the prosecution that up to then the I.G. had organized a system of espionage and a Fifth Column abroad.

Defendant SCHNITZLER's reply of 3 April 1940 is significant.

This is document NI-3804, exhibit No. 928, document book No. 49.

OPENING PLEA VON DER HEYDE

This letter is polite, but evasive and, when all is said and done, meaningless.

Obviously nothing was done as a result of the letter from the defendant von der HEYDE.

The other document is dated April 1940 and deals with approximately the same question.

This is the document HI-1447, Exhibit No. 930, Document Book No. 49.

The same applies also to this document as to the first letter of the defendant von der HEYDE addressed to the defendant von SCHNITZLER.

In short it is apparent from both documents that first of all they were written during the war, secondly they represent only a preparatory action and thirdly, as can be seen from their contents, they were not written by the defendant von der HEYDE of his own accord.

From the contents of both documents it is also apparent that the defendant von der HEYDE was not, what is asserted by the Prosecution, namely a counter-intelligence agent (Abwehr-Agent), at any previous time i.e. particularly before the war.

The defendant von der HEYDE was a security commissioner (Abwehr-Besauftragter).

Thus ran the official German designation, which at the same time, made quite clear the essence of such a man's work.

If the defendant von der HEYDE had been a counter-intelligence agent, (Abwehr-Agent), his functions would not have been merely



OPENING PLAID VON DER HEYDE

passive, but he would have been active too; for the word "agent" is derived from the Latin "agere" and means to act.

The word Commissioner (Beauftragter), on the other hand, shows that the duties of the defendant von der HEYDE were not considered to be espionage, but merely the passive functions of a security commissioner.

Work of this type is, however, not confined to Germany, but is necessary for the protection and safety of every state and can, therefore, not be considered as criminal in itself.

As to the activity of the defendant von der HEYDE as an honorary collaborator in the SD, the witness for the Prosecution Otto OHLENDORF stated that the defendant von der HEYDE discontinued his work as an honorary collaborator of the SD probably already in 1938, quite definitely however in 1939. In addition the witness Otto OHLENDORF stated that all the defendant von der HEYDE had to do was to inform the organization of the witness, the SD, about Konzern questions which were not secret and this information could have been obtained also by a thorough study of books, although considerably more time would have been required.

According to the deposition of this witness, the work of the defendant von der HEYDE had nothing to do with an informer's activity.

The Tribunal will find this on page 4506 and following of the German transcript and on page 4485 and following of the English transcript.

OPENING PLEA VON DER HEYDE

---

As to his organization, the defendant von der HEYDE was a member of the Reiter-SS which he joined in 1933, and which was not declared criminal by the International Military Tribunal.

May I direct the attention of the Tribunal to the deposition of the witness Earl WOLFF in this respect.

This deposition can be found in the transcript of the Commissioner of this Tribunal, dated 15 December 1947 (morning).

Neither do the affidavits of the defendant von der HEYDE himself or of his co-defendants, as far as they mention him at all, give a different impression.

I must almost doubt that the Prosecution, which called the superiors and colleagues of the defendant von der HEYDE - including some of those who were also security commissioners (Abwehrbeauftragte) - as free witnesses, indicted him according to his actual position and according to what he actually did.

Some months ago, a member of the English House of Commons asked whether, after the indictment of the directors and the members of the Vorstand of I.G. Farben, the workers and employees were to be indicted too.

This would be quite incompatible with both the judgment of the International Military Tribunal at Nuernberg and the Control Council Law No. 10.



OPENING PLEA VON DER HEYDE

---

This would lead gradually to the establishment of a collective guilt, the idea of which the International Military Tribunal has refused to accept.

It would, in addition, also contradict the most generous interpretation of Law No. 10 of the Control Council such as the Prosecution itself has given on page 2 and page 7 of the German transcript of the first part of its preliminary memorandum and in the text of 6 December 1947.

Now as before I am, therefore, of the opinion that this Tribunal will judge the individual guilt alone of the defendant von der HEYDE.

I have expressed above what I have to say on this point.

In producing my evidence I would only be able to reinforce these statements mostly by witnesses, who either were superiors or colleagues of the defendant von der HEYDE or who, after his enlistment in the Army, took over his functions. All of them are at liberty.

I maintain however that the evidence so far furnished by the Prosecution does not offer the possibility - when considering the defendant von der HEYDE's individual guilt - to find him guilty.

The defendant von der HEYDE had nothing to do with count I, II and III because his position neither offered him an opportunity to exercise any influence in this respect nor was his field of activity in any way connected therewith.

OPENING PLEA VON DER HEYDE

---

Count IV can be ignored because the defendant von der HEYDE left the SD as honorary collaborator in 1938 and, for the rest, belonged to the Reiter-SS which has not been declared criminal.

Count V of the indictment is not applicable to the defendant von der HEYDE at all, in view of his position.

---

CERTIFICATE OF TRANSLATION

16 December 1947

I, Annette JACOBSON, 20146, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of Opening Plea von der HEYDE,

Annette J. COBSON,  
No. 20146



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Heinrich H O E R L E I N

English



Case 6  
Defense

OPENING STATEMENT

for the

Defense of the

Defendant Dr. Heinrich Hoerlein

-----  
Dr. Dr. Otto Melte  
Counsel for the Defense  
Nurnberg  
-----





OPENING STATEMENT HOERLEIN

Mr. President, your Honors:

The defendant, Professor Hoerlein is charged - together with all the other defendants - with having participated in the planning, preparation, initiation and the waging of wars of aggression and invasions of other countries.

This Count of the Indictment concerns the overall responsibility which Professor Hoerlein is held to have assumed as a member of Farben's Vorstand.

In this connection, it is essential to prove the extent to which Professor Hoerlein has participated and acquiesced in the decisions and measures of which he knew that they had as their objective the planning, preparation, initiation and the waging of wars of aggression.

We reserve to ourselves the right to present the legal issues arising from the problems of overall responsibility and conspiracy.

Professor Hoerlein will explain in an affidavit his position, his functions and his competencies within Farben's administrative structure - the Vorstand and the Central Committee. This will reveal the picture of a decentralized business activity which by virtue of Farben's immense size rendered it practically impossible for any individual member of the Vorstand to be informed of the details pertaining to the activities of the other members of the Vorstand, at any rate, as to their motives and purposes.

Professor Hoerlein, who, jointly with Professor Lautenschlaeger and Director Mann, represented the pharmaceutical branch of Sparte II as well as the pharmaceutical plants and laboratories in Elberfeld-Leverkusen, when called to the witness-stand, will testify and introduce documentary evidence to the

OPENING STATEMENT HOERLEIN

effect that the pharmaceutical branch did not benefit from the National-Socialist movement and regime, nor from the Wehrmacht, that is, from re-armament.

The development of this branch of Farben was not influenced by re-armament, but by international conditions, i.e. in the field of export. These developments induced the leading men, either from necessity or from conviction, to adopt an attitude aiming at conciliation and peace among nations. Moreover, proof will be submitted that plans for the activities in France, decided upon in July 1939 and the plans for Russia, discussed in October 1940, preclude any suspicion that the leading men of the pharmaceutical branch - as for instance Professor Hoerlein - believed that war was imminent. As late as the end of July 1939, Mann and Hoerlein received high-ranking representatives of the English pharmaceutical world at Leverkusen and Elberfeld; on this occasion both parties stressed their international unity.

Documents will be introduced to prove unequivocally that Professor Hoerlein stood in opposition to the Party since 1933, especially to Streicher, who supported the fanatical adherents of nature healing in their attacks upon pharmaceutical firms, especially upon Farben; moreover, they will prove that he became the victim of a campaign of defamation because he took part in the fight for freedom in the field of science against the plans of Hitler and Goering to prohibit vivisection for scientific purposes.

Professor Hoerlein is ready to assume full responsibility for anything that was carried out under his management at the Elberfeld plant.



OPENING STATEMENT HOERLEIN

In this position he enjoyed a large measure of independence. He jealously maintained his independence; it was just as natural for him to respect the activities of other works as well as the spheres outside his own field of activities.

B. To paragraph 42 of the Indictment.

The defendant Professor Hoerlein's name is mentioned in paragraph 42 of the indictment. The following is stated:

"Farben carried out most of the scientific research for the secret development of poison gas for the war. The experiments were carried out by Farben employees under the direction of the defendants Hoerlein, Ambros and ter Meer, in close cooperation with the Wehrmacht."

As far as this concerns Professor Hoerlein and the Elberfeld Farben works, the assertion of the Prosecution has been refuted by the testimony of the witnesses for the Prosecution, Dr. Schrader and Professor Gross. I refer to the testimonies of these witnesses (Dr. Schrader pages 2228 - 2258, Professor Gross, pages 2709 - 2723), and move:

"that Professor Hoerlein be acquitted of the individual charge as contained in this Count."

Should this not be done, I reserve the right to introduce other witnesses to prove the falseness of this count of the charge contained therein.

C. To paragraph 53 and 56 of the indictment.

In paragraphs 53 and 56 of the indictment, Farben is charged among other things with having held back, through its cartel arrangements, the production, in America, of atabrine and sulpha drugs, and even of having prevented the production of atabrine within the United States before the German declaration of war.

OPENING STATEMENT HOERLEIN  
-----

However, the Prosecution has not produced any evidence whatsoever in this respect.

In regard to this point, I move:

"that the Court squash proceedings as far as they concern paragraph 53 and 56 of the indictment."

By way of precaution, I offer to submit proof by the introduction of documents and affidavits and by examining the defendant Hoerlein on the witness-stand that the assertion made by the Prosecution is not only incorrect but that through the discoveries made in Farben's Elberfeld plant, which was organized and managed by Professor Hoerlein, millions of human lives were saved every year, and that health can be restored to hundreds of millions of human beings if the nations responsible for the territories concerned make use of these discoveries. The number of deaths from malaria alone, against which atabrine has proved to be the principle remedy, has been estimated by various authorities to be between  $3\frac{1}{2}$  to 8 millions a year. The number of persons suffering from malaria is estimated to be between 500 and 800 millions, that is,  $\frac{1}{4}$  to  $\frac{1}{3}$  of the present world population.

D. Count 2 of the indictment, as far as it concerns "German Speliation in the West" will be dealt with in its entirety by other representatives of the Defense.

Professor Hoerlein is mentioned in connection with the second contract concluded by Farben with Rhone-Poulenc (Doc. NI-8611, Exh. 1275).



OPENING STATEMENT HOERLEIN

It can be seen from this document and from correspondence to be submitted that Hoerlein acknowledged the interests, of the French partners in the most loyal manner and conducted negotiations with the representatives of Rhone-Poulenc in a very friendly atmosphere.

In this connection, the defendant Hoerlein will make a statement on the witness-stand. Moreover, I shall introduce an affidavit of Dr. Mietzsch, who was the constant companion of Professor Hoerlein in the various technical discussions. An affidavit by the Generaldirektor Dr. of Rhone-Poulenc will show you that Professor Hoerlein proved his unconditional loyalty by his deeds.

E. To paragraph 128 of the Indictment.

The issues in regard to the procurement, employment and the treatment of foreign workers in general will be dealt with by Herr Helmut Dix.

No evidence has been offered by the Prosecution in regard to the Elberfeld plant, which was under the management of the defendant Hoerlein. The only document (NI-7513) referring to this count of the indictment is an affidavit Meyeux which, although contained in the document book, was never submitted by the Prosecution.

Therefore, the Defense find itself in no position to answer concrete assertions incriminating Professor Hoerlein.

F. To paragraph 131 of the Indictment.

The argument of the Prosecution in regard to this part of the charge is not conclusive. It would have been necessary in the case of Hoerlein to allege and to prove:

OPENING STATEMENT HOERLEIN

- a) knowledge that the Testa, or Degesch, had supplied Zyklon - B to the concentration camp Auschwitz and
- b) knowledge that this Zyklon-B was intended to be used there to gas human beings.

As far as this concerns Professor Hoerlein, the Prosecution has only presented the one fact that he was a member of the Verwaltungsrat of Degesch (Doc. NI-12073, Exh. 1765). However, several links are missing here in the chain of conclusive evidence; the assertion that the Verwaltungsrat had been informed of this particular detail of its business transactions has not been made. No transcript of such meeting has been submitted, no evidence has been introduced to prove that Hoerlein obtained knowledge of it in any way whatsoever.

This cannot be sufficient to admit of the extremely grave accusation of the Prosecution.

I, therefore, move on behalf of the defendant Hoerlein:

"the Court find that this count of the indictment has not been conclusively proven and that, therefore, it be rejected."

If the Court declines to accede to this request, Professor Hoerlein will submit proof that he did not take part in any meetings of the Verwaltungsrat at the critical time and did not receive reports which would have disclosed that Zyklon-B had been supplied to Auschwitz nor the terrible use made of it at Birkenau.

As for the rest, I refer to the evidence in the case of the co-defendant Mann.



OPENING STATEMENT HOERLEIN  
-----

G. Concerning Count 134 of the Indictment.

The Prosecution asserts that (page 174):

"The defendant Hoerlein was in charge of the overall supervision, control and held final responsibility in the field of pharmaceuticals. He was in charge of the factories making pharmaceutical products, and it was Hoerlein who reported to the Vorstand".

These assertions have been refuted by the Prosecution's own arguments and the evidence presented until now.

1) Although the Basic-Information and the charts submitted by the Prosecution are not evidence, but their submission as such must in itself be counted against it.

From the chart submitted as Exhibit 47 concerning the various works belonging to Farben the following facts become evident:

- a) that Professor Lautenschlaeger was manager of Betriebsgemeinschaft Mainau (Works Combine Main Valley), to which belonged not only the Hoechst plant which he managed himself, but also the Serum and Impfstoffwerke (serum and vaccination works) at Marburg and Eystrup, while Professor Hoerlein was in charge of the Elberfeld works which were a part of the Betriebsgemeinschaft Niederrhein (Works Combine Lower Rhine);
- b) that Professor Lautenschlaeger exercised his functions in complete independence from Professor Hoerlein, as is confirmed by the Prosecution affidavit NI-8004, Exh. 307. The final sentence dealing with ciph. 4 states:

"In my capacity as work's manager I was in charge

OPENING STATEMENT HOERLEIN  
-----

of research, production and social welfare for the personnel."

2) The Prosecution witness Dr. Struss stated during his cross-examination:

- a) "Professor Heerlein was not the superior of Professor Lautenschlaeger, the manager of the Hoechst works" (page 1877).
- b) "In the pharmaceutical sphere, Professor Heerlein was *primus inter pares*" (page 1878).
- c) "The work done at Elberfeld and at Hoechst was independent of each other" (page 1875).

The importance of the Pharmaceutical Main Conference is accurately recorded in the "Basic-Information", volume I, page 21. It is in conformity with the statement given by eight members of the Vorstand, which was confirmed by the Prosecution witness Director Paulmann (page 2135). It stated:

"The Pharmaceutical Main Conference was a meeting of all directors of the pharmaceutical departments of Elberfeld, Hoechst and Leverkusen (scientists, manufacturers, publicity and business men), with Professor Heerlein presiding. They heard reports about new products whose investigation in medical laboratories had been completed; as well as about the results concerning products still in the course of clinical investigation; they reached decisions about their marketing; and they informed themselves about the manufacturing and sales conditions, as well as about patent and license problems....."

According to this, the Pharmaceutical Main Conference was a meeting



OPENING STATEMENT HOERLEIN  
-----

of departments of the pharmaceutical branch on an equal level, for the purpose of a mutual exchange of information, and without authority to make decisions concerning business policies or the research work undertaken by these departments.

4) The assertions of the Prosecution that,

"It was Heerlein who reported to the Vorstand", is refuted by Professor Lautenschlaeger's affidavit (Doc. NI-9811, Etp. 1520, point 16) submitted by the Prosecution, according to which he made the reports about progress attained in the Hoechst and Marburg laboratories.

This in itself refutes the Prosecution's primary thesis against Professor Heerlein, however, we shall submit evidence in the shape of depositions by Professor Heerlein and the eight members of the Vorstand previously mentioned, in addition to the affidavit by Dr. Letter who was a member and the recorder of the Pharmaceutical Main Conference since 1934.

5) It is true that Professor Heerlein was since 1935 chairman of the Aufsichtsrat of the Behringwerke A.G. in Marburg. The functions of the I.G. Aufsichtsrat were on the whole accurately described by the Prosecution (page 54) when they said:

"Membership in the Aufsichtsrat mainly an honorary membership."

And in another passage (page 54):

"It - the Aufsichtsrat - convened for the purpose of hearing the report of the Vorstand, and on paper it was responsible for the election of the Vorstand members".

These statements which apply to Farben as a whole are also applicable to an even greater degree to the Aktiengesellschaften.

OPENING STATEMENT HOERLEIN  
-----

stock corporations, which were parts, in reality only branches, of the entire I.G., as for instance the Behringwerke A.G. in Marburg.

In Marburg the Aufsichtsrat convened once a year in a session to take care of the formalities as prescribed by law, that is to say, to take cognizance of the balance-sheet and yearly reports. The Aufsichtsrat had no influence on business policies, and its supervisory powers concerning the business - not scientific - activities of the Vorstand were very limited, too, since the leadership principle of the Vergangen was introduced in the I.G. in accordance with the corporation law of 30 January 1937.

Professor Heerlein will prove by the presentation of affidavits that, with one single exception during the pre-war years, the yearly financial meetings and the general meeting were held at Leverkusen and not at Marburg, and that he had no influence on the business policies of the Behringwerke. The assertion made on page 2 of the indictment, according to which Professor Heerlein was in charge of the development of serum and vaccines, is not true. It also contradicts the affidavit by Lautenschlaeger, NI-8004, Exh. 307, oiph. 4, submitted by the Prosecution.

It is therefore evident that Professor Heerlein neither managed, supervised, nor controlled any other works, except these laboratories and enterprises which he managed personally.

The foregoing is not intended to say that the individual pharmaceutical plants worked completely independent of each other; there was, of course, of mutual contact and exchange of experiences.



OPENING STATEMENT HOERLEIN  
-----

to the extent in which similar spheres of activities were concerned. It would be folly to deny that in this circle Professor Heerlein's personality, due to his knowledge, experience and seniority, did not carry great weight. Such variegated manifestations of the factual importance of individual personalities, ~~attent~~ in all spheres and at all times, have no connection with the organizational question of the right - and consequently of the duty - to issue orders or to exercise supervision.

The same considerations apply also to the relations between Professor Heerlein and Dr. Mertens, the responsible manager of the Scientific Department in Leverkusen, which was locally and organizationally attached to the pharmaceutical sales association. This Scientific Department received from Elberfeld - as well as from Hoechst - the preparations after they had been developed in laboratories and in experiments with animals.

Through the testimony of the Professors Dr. Demagk, Kikuth and Weese, all subordinated to Professor Heerlein, it will be proved that these preparations did not leave the Elberfelder works until they were approved - in the most conscientious and responsible manner and according to the latest scientific developments - as promising for the treatment of certain diseases. In this connection a detailed expose which enumerated all the data for the therapeutic treatment, as well as any collateral reactions which it was humanly possible to foresee, was transmitted to the scientific department.

OPENING STATEMENT HOMERLEIN  
-----

On the basis of this report the Scientific Section on its own responsibility instigated the clinical examination in that they gave the preparation and the expert to recognized, experienced and reliable doctors for testing.

Although on principle the work of the Elberfelder Werke was completed when the preparation and the expert were passed on, it was only natural that the experiences and queries arising in connection with the clinical testing of the Elberfelder preparation should lead to constant discussions with the Elberfeld Offices.

For this entire complex the experts on the Elberfelder preparations B 1034 and Methalyne blue will be presented, in addition the testimony of Dr. Mertens and his subordinates Dr. Keenig and Dr. Luecker will be offered. These witnesses will also explain the concept of clinical testing and therapeutic experiments, and also that the clinical tests concerned here are not "Experiments" as maintained by the Prosecution in this trial.

The statement made by the Prosecution in the Doctors Trial gives clear directives for the general evaluation of this question which are also recognized by the Defense. It reads:

"Now, the only question which we have with respect to this exhibit is whether or not this disease, typhus, was naturally or artificially contracted by the thirty-nine experimental subjects.



OPENING STATEMENT HOERLEIN

I take it no crime was committed if in fact these thirty-nine unfortunate people just contracted the disease in the Buchenwald concentration camp and then were used as experimental subjects to test the reactions of these two drugs, Rutenol and Acridine. I say the Prosecution will so assume." (Mc Haney, page 1127, Record of the Doctors Trial).

Although Professor Hoerlein had no influence on and therefore no responsibility for the selection of the doctors to whom the Elberfeld drugs were given for clinical testing, these cases will be dealt with here because the Prosecution maintains that such therapeutic experiments which were made with Elberfeld preparations in the concentration camps were known and promoted.

III. Dr. Vetter was a subordinate of the above-mentioned witness Dr. Luecker. The latter and his superior Dr. Mertens will certify that Dr. Vetter was not subordinated to Professor Hoerlein. It is given on hand of an affidavit by Dr. Vetter and through Professor Hoerlein that since he was drafted into the Waffen-SS, Dr. Vetter neither spoke nor corresponded with Professor Hoerlein, and furthermore that during his service with the Waffen-SS he received no remuneration whatsoever for his activities in the interests of the I.G. His emoluments were the same as those received by every other employee of the I.G. who had been drafted into the armed forces on the basis of prescribed regulations.

IV. The Prosecution has neither proven that Professor Hoerlein issued orders to the effect that Elberfeld drugs were to be tested in clinical experiments in concentration camps or other camps, nor that he

OPENING STATEMENT HOERLEIN

had knowledge of the fact that Elberfeld preparations were tested in experiments in the concentration camps. Nor has the Prosecution asserted that Professor Hoerlein was ever in a concentration camp. The documents presented by the Prosecution do not show either that Professor Hoerlein received a report, from which he could have concluded that the Elberfeld preparations were being tested on concentration camps inmates. Without drawing a conclusion from the private letters which Dr. Vetter sent to his fellow-workers in Leverkusen, the testimony of Dr. Mertens and Dr. Koenig shows that Professor Hoerlein never had any knowledge of these letters.

Any knowledge which Professor Hoerlein may have had would have been gained through the Scientific Section Leverkusen. The witnesses Dr. Mertens, Dr. Koenig and Dr. Luecker will certify that Dr. Vetter never spoke to them about experiments on concentration camp inmates, much less of experiments which would have been objected to by the medical profession.

V. 1.) At first Dr. Vetter worked in Dachau. It was during this time that the letter was written which the Prosecution has quoted as follows: (page 184)

"In August 1941, in a letter addressed to his "chief" at Leverkusen, Dr. Vetter wrote that he is now ...." in one of the largest and best equipped concentration camps.

He stated further: "as you can imagine, I have ample opportunity of experimenting with our preparation."



OPENING STATEMENT HOERLEIN

As shown by a comparison with the letter (NI-9402, Exhibit 1692) presented by the Prosecution itself, the letter did not state:

"I have ample opportunity of experimenting with our preparation",

but rather

"especially as I have the opportunity to test our new preparations."

The significance of this difference becomes apparent when the fact is taken into consideration that all preparations, which were sent to Dr. Vetter were available on the market, i.e. could be purchased in any pharmacy, so that there could be no question whatsoever about "experimenting."

Nor does the second quotation of the Prosecution (page 184)

"We are sending large quantities of the requested preparation to you ....."

agree with the wording of the letter submitted by the Prosecution (NI-9403, Exhibit 1694). The letter states:

"Should you need any further quantities of samples, we would ask you to obtain them directly from the Pharma-Buero in Munich, as this is more expedient. We are, of course, ready to supply you with additional samples at any time, should there ever be a temporary shortage of any preparation at the Pharma-Buero Munich."

Finally the Prosecution's assertion that this letter was signed by Dr. Mertens is incorrect, as is shown in the same document.

OPENING STATEMENT HOERLEIN

Thereby the Prosecution's assertions concerning the Dr. Vetter-Dachau complex are refuted, especially since no reports by Dr. Vetter concerning the application of the remedies sent to him have been presented.

2.) Later Dr. Vetter then received preparation B 1034 from Leverkusen and, as is shown by the evidence used it in Monowitz and Mauthausen. In this connection the witnesses Dr. Mertens, Dr. Koernig and Dr. Luecker will certify:

- a) that Dr. Vetter, whom they knew as a conscientious doctor, urgently requested the assistance of his colleagues in Leverkusen in combating the epidemic typhus;
- b) that this preparation, which had already been tested at many other places, was given to him together with the exposé;
- c) that preparations were never given to him which had not already been tested in other German hospitals and military hospitals;
- d) that on the basis of experience this preparation could not be harmful to any patient's health insofar as it was humanly possible to judge this;
- e) that Dr. Vetter at no time stated or reported that this preparation was ever applied differently than therapeutically on patients;
- f) that he especially never mentioned the treatment of healthy persons who had been artificially infected;



OPENING STATEMENT HOERLEIN

- g) that Dr. Vetter in his reports or conversations never at all mentioned, that he had treated concentration camp inmates with this preparation, and that consequently it was impossible for Dr. Mertens to report something to Elberfeld that might have aroused the suspicion that it was being misused.

In this connection, I refer to the statement of the witness of the Prosecution Pohl, according to which the I.G. had nothing to do with either the medical care of the concentration camp inmates or with the providing of medicines for Monowitz; moreover that the work-management had no influence with regard to the appointment of the camp physicians and their methods of treatment; finally, that the camp physicians were under strictest orders of secrecy.

3.) The Prosecution has linked Dr. Hoerlein with the therapeutic experiments with Methylene-blue, which Dr. Ding - according to the Ding diary - allegedly carried out in January 1943 in the Buchenwald concentration camp.

The Prosecution's statement in this connection that:

"In September 1942 the defendants Hoerlein and Lautenschlaeger urged Mrugowsky to test the therapeutic effects of the preparations 3582 "Akridin" and "Methylene-blue" on Typhus, (p. 176),

OPENING STATEMENT HOERLEIN

is not borne out by the evidence. I do not want to encroach upon the territory of Dr. Lautenschlaeger. As far as the preparation Methylene-blue is concerned, the effects of which upon the causative agent of Typhus were discovered by Professor Kikuth of Elberfeld. I refer to the exposé to be submitted which shows that Methylene-blue was not a new preparation but, to the contrary, had been known and on the market for decades and as far as could be foreseen it could not have any harmful, but rather some favorable effects upon the Typhus patients.

It is proved by means of an affidavit Mrugowsky that Professor Hoerlein never spoke with him about experiments with methylene-blue. The Prosecution has not submitted any evidence in this respect. The true facts are that Elberfeld instructed Leverkusen to supply Mrugowsky with methylene-blue.

The allegation of the Prosecution lacks all conclusive evidence that Professor Hoerlein urged Mrugowsky to test the therapeutic effects of methylene-blue on spotted fever, or even that Professor Hoerlein had knowledge of the tests made by Dr. Dings at Buchenwald. The fact that methylene-blue was supplied - which Mrugowsky could obtain at any chemists - finds its explanation in the fact that at Elberfeld they were under the impression, and could have been under the impression that Mrugowsky as chief medical officer of the Waffen SS in Berlin and hygiene specialist in the combatting of spotted fever had a medical interest



OPENING STATEMENT HOERLEIN

in the preparations which represented therapeutic help, in view of the great and general peril. The Prosecution offered no evidence of the fact that Professor Hoerlein had knowledge of a connection on the part of Mrugowsky with concentration camps, especially with KL Buchenwald and Dr. Ding, whom Professor Hoerlein did not know. Dr. Ding will be examined concerning this matter in the witness stand.

In his affidavit NI-9811, Exh. 1520, submitted by the Prosecution, Professor Lautenwohlaeger testifies that he did not speak with Professor Hoerlein regarding the fact that from a conversation with Dr. Ding he inferred that the latter made tests by means of the artificial infection of healthy people.

Therefore, as far as Professor Hoerlein is concerned, that which the Prosecution alleges on page 177 of the bill of indictment can now be considered as not proven; namely that:

"I.G. was quite aware<sup>of</sup>/what was going on at Buchenwald."

H. In order to complete the statement, ~~the~~ reference must also be made to the case concerning 150 Polish women, during the discussion of which the name of Professor Hoerlein was mentioned by the Prosecutor. Since the High Tribunal rejected the evidence submitted by the Prosecution in reference to this case, the Defense may desist from submitting any counter-evidence.

OPENING STATEMENT HOERLEIN

When a concrete deed is submitted to the judge for examination, the personality of the perpetrator is only of secondary importance. The psychological analysis appears irrelevant for the causality of what happened.

Here things are different, I take it that in the Hoerlein case not even the evidence of objective causality can be submitted. However, in view of the Prosecution's attempt to create a sort of assumption by construing certain peripheral connections with the aid of combinations, I am compelled to throw more light on Professor Hoerlein's personality. Obviously it is the tendency of the Prosecution to assume certain motives such as greed for power, national-socialistic attitude and to conclude therefrom individual readiness to deviate from ethical principles.

In supplementation of the evidence already submitted I shall submit numerous affidavits of Germans, Jews and persons of foreign nationality. The result will be the picture of a man who during the bad years after 1933 preserved a courageous and noble heart, a man to whom great injustice is done if one calls him, as did the Chief Prosecutor, a "sickly personality" and an "architect of the catastrophe". It is contrary to any experience in life and therefore cannot be accepted without concrete counter-evidence that a man who devotes his life to the welfare of humanity, who day and night reflects upon how he can ease the sufferings of his fellow men, can at the same time in cold blood do things or permit things which would make the purpose of his life illusory.



CERTIFICATE OF TRANSLATION

---

13 January 1949

We, the undersigned, hereby certify that we are duly appointed translators for the English and German languages and that the above Opening Statement Hoerlich is a reviewed copy of the transcript, Court VI, Case VI, page 4760 English version, the missing parts having been added.

*A.H. Dovey*  
A.H. DOVEY  
ETO No. 20128

*A. Earley for Amalia Wizer.*  
AMALIA WIEZER  
ETO No. 25967

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Max I L G N E R

English





Case 6  
Defense

Opening Statement ILGSEI

OPENING STATEMENT

of

Attorney Dr. Herbert MATH

before the

American Military Tribunal VI

in case 6:

Karl KRAUCH, and others

for

Dr. Max ILGNER

Nuernberg, December 1947



Opening Statement ILGNER

May it please the Court,

I.

The Prosecution has endeavoured to prove to the court that my client Dr. Max ILGNER, is allegedly guilty of count 1 of the indictment, planning, preparation and waging of a war of aggression, because he allegedly committed espionage and propaganda in preparation of the war as head of the IG-office, which was in Berlin and is known by the name of Berlin NW 7.

In this connection the Prosecution names the economic department, the political-economic department, both of these in Berlin NW 7; it points to the IG liaison men who were employed abroad by the concern; it names the Carl SCHURZ Society, whose president my client was, and which, as I shall prove, endeavoured to bring about an understanding between the American and German nation. It (the Prosecution) believes that the gatherings which took place in the course of the Kieler Woche and at which meetings were arranged between the representatives of the German economy and representatives of foreign economy have to be looked upon as infamous and camouflaged enterprises, the sole purpose of which was espionage. Even the trips abroad which



Opening Statement ILGNER

my client undertook in the interest of his firm were, according to the Prosecution, nothing else, but the trips of a man, whose object it was to utilize the experiences and informations which he had gathered abroad for the planning and waging of a war of aggression.

So many statements, so many errors. I believe to be more precise, when I say, that the Prosecution has construed suppositions which lack any concrete and valid proof to sustain their accusations. I should like to point out right here that not a single witness for the Prosecution, cross-examined by the Defense, has stated up to now that Dr. ILGNER - either personally or with the aid of the mentioned offices or meetings - has been active in a manner which could be described as espionage or be accepted in law as preparation and planning of a war of aggression. Quite apart from the consideration that the prerequisites, under which a defendant could be considered guilty of planning, preparing and waging a war of aggression according to the verdict of IMT, have apparently not been observed by the Prosecution. I shall elaborate on this point in my final plea.

I shall try therefore to observe these principles in my argumentation which are the tools of every lawyer, namely to examine:

1. What has been

Opening Statement ILGNER

asserted, 2. is the assertion conclusive and what is the proof of same and 3. what is the counter-evidence. Then I shall draw the conclusions which I intend to present to the court after due consideration of the result of the evidence.

An important point which will be my guiding principle is the question of personal guilt. I shall not neglect to point out in this trial, as I have already done in the trial of ELICH and others, the statements of the Military Tribunal II in its judgment against the former Fieldmarshal MILCH, which I consider of prime importance. In this judgment the Court took into consideration the ancient and fundamental concepts of Anglo-Saxon law, rooted deeply in the English Common Law and which have been strictly maintained in the United States since their origin. These maxims are:

I quote:

"1. A person accused of a crime is to be considered at first as being innocent"

and

"2. He will be considered as such until he can be proven guilty without doubt."

End of quote.

In order to enable the court, to make an examination on the basis of these principles it is necessary that I explain the position and standing of my client on the Vorstand of the I.G.



Opening Statement ILONER

In connection with this I shall show the intention and purpose of Buero Berlin NW 7, in which my client found his sphere of activity.

When we examine the individual guilt, we cannot pass the defendant as a person without occupying ourselves in more detail with him, that is, we must get a picture about what belonged within this man's sphere of work, what was the intent of his work, and what he aimed to attain. This picture will contrast most strikingly with the picture which the Prosecution has drawn of my client.

It is known to the Defense, that during the war there appeared a propaganda (inflammatory) pamphlet in America, originating with the title "The Horseman of the Apocalypse of the I.G.", and which was directed against the I.G. and its leading employees because of transparent motives, - let us calmly call them motives of competition. And we believe, that we can see a fountain-head in this fact, which influences the outlines of the picture - possibly subconsciously - which the Prosecution has drawn of the defendant in the opening statement.

If I now point to my client as a person, who is supposed to have lent his hand in the planning, preparation, and waging of a war of aggression, then I cannot avoid reminding the Tribunal of the statements of the Prosecution witness, Dr. Kurt

Opening Statement ILGNER

KRUEGER, who spoke as follows in a convincing manner about my client: "... that he (Dr. ILGNER) was blowing the shepherd's reed of peace so loud, that in so doing he was able to drown out the flaring of the trumpets of war." These words, however, characterize my client's personality to the point with respect to Count I of the indictment.

The management of Buero Berlin NW 7, of which - as I have already mentioned - among others, the "Volkswirtschaftliche Abteilung" <sup>was</sup> (Vowi) was also a part/under this man. This "Volkswirtschaftliche Abteilung" was an idea of Geheimrath Carl BOSCH, who had sent Professor von MOELLENDORFF to New York in 1928, in order to study the set-up of the Industrial Conference Board with the goal in mind to get to know this institute which is so essential to the American industry, and to create a similar set-up in Germany, if possible. My client, who happened to be in New York at this same period, and who met Professor von MOELLENDORFF, seized immediately upon this idea with the openness of mind which is characteristic of him, because it was in line with his cosmopolitan position which was directed toward an economic collaboration of the nations. To this end the work of such a "Volkswirtschaftliches Institut" provided him with the necessary equipment. There existed a close contact with the then President of the National Institute Conference Board, Magnus Alexander.



Opening Statement ILGNER

Professor von MOELLENDORFF and Dr. ILGNER considered this American institution serving the purpose so adequately, that they used <sup>this</sup> model for I.G. and founded a corresponding department, namely the "Vowi". However, to meet with the original conception of Geheimrat BOSCH, the obligation developed to make the work of this "Volkswirtschaftlichen Abteilung" accessible to the entire interested German national economy. Thus the "Vowi" was no secret office. Every major businessman was able to request information there about data of national economy which interested him. And in no wise is it something unusual, if the authorities of the State, as, for example, The Ministry of Economy or the Economic Department of the Foreign Office, and later during the periods of threatening political entanglements - particularly during the War - the military authorities also, demanded information and data from this department of economy. I believe, that I am not in error when I suppose that the National Industrial Conference Board likewise placed its work at the disposal of the American authorities without hesitation, and that perchance in America there is no need of a law which extorts information from private firms to governmental authorities, as was the case in the Third Reich.

Beyond this, there existed an exchange of projects between the "Vowi" with the great English Concern Imperial Chemical Industries, as well as with the National City Bank of New York, as well as with a series of other organizations which had similar institutions

Opening Statement ILGNER

at their disposal. Obviously there also existed an exchange of work (between the "Vowi") and the German institutes, as for example, the Institute of World Economy at the University of Kiel, the Institute for the research in business conditions, "Institut fuer Konjunkturforschung" in Berlin. The Prosecution has submitted a list regarding the work of the "Vowi" to the High Tribunal. This list is incomplete. I will endeavor to complete it. I would be happy, if I could lay all the projects of the "Vowi" on the judge's bench and be able to suggest, that they pick out a piece of work at random in order to examine whether this choice justifies the supposition, that tasks are involved which were pursued in preparation for war. Unfortunately, I shall not be in such a position due to lack of time and as a result of the fact, that many libraries and private collections were destroyed through air-raids. However, I shall be able to submit some in my Document Book before the Tribunal, in order that the Court may gain an impression of it.

The keen international competition in the world-market made it mandatory that knowledge of the widest scope possible be utilized - if this Department of National Economy was to be of any use whatsoever. Everyone knows that the economy of a country is influenced by the policy of the ruling powers. As a result of this, a reliable study of the market could not very well leave out the political situation of a country, insofar as the economy is influenced by it. For false analyses cost money



Opening Statement ILGHER

if sums are invested in enterprises which might possibly be destroyed for political reasons.

In the eyes of the Prosecution all this is espionage. For the international merchant, however, it is an economic exigency. In the same way, for instance, it was possible, thanks to the work of the public economics department, that the I.G. was not caught unprepared by the devaluation of the dollar in the spring of 1935 and thus was spared very considerable losses. This was undoubtedly to my clients' merit. In the course of my argumentation I will therefore have to prove to the Tribunal that the assertions made by the Prosecution concerning the Vowl and its work are incorrect.

The same applies to the public-economics department which is also totally misjudged by the Prosecution. There can be no question about it that an enterprise of world repute, such as the I.G., was bound to be interested in the plans of the authorities with regard to commercial policies, such as, for instance, the customs. The rigorous controlling regulations, due to hard times, of Germany's internal economics (the acute shortage of which in the way of raw material the US authorities have plenty of opportunities to study today) necessitated the adoption of a quota system and many other economic measures by the government. On the other hand, the I.G. sales combine tried to transmit their suggestions, for instance concerning the formulation of commercial treaties, to the relevant Government offices,

Opening Statement ILGNER

by means of this department. According to the Prosecution's opinion it was an institute for espionage. The proof for this allegation, however, is still wanting.

I must remark here briefly that this department must not be confused with the "Vermittlungsstelle W" (Go-between office) which although it had its office in the "Berlin NW 7" building too, had, however, nothing to do with my client.

I will have to explain to your Honors in the course of my argumentation the activity of the so-called I.G. liaison-men which seems to have roused the special attention of the Prosecution. Quite wrongly, though. This matter was also an example found in foreign countries of which Dr. ILGNER got to know in the course of his travels abroad, and which he had recognized as rather useful for the business of his firm. The "Supervisors", a common institution of the Standard Oil of New Jersey, the National City Bank and the Imperial Industries, served as a model for the I.G. liaison-men. They were men who sold I.G. products in foreign countries. One of them was chosen for a certain country "primus inter pares" to look after the I.G. sales interests in their totality in the respective country. The position and the task of these men is being totally misjudged by the Prosecution. In the course of my argumentation I shall refute the Prosecution's picture according to which the reports which were dispatched by these liaison-men to Berlin NW 7 allegedly have served for the purpose of espionage.



Opening Statement ILGNER

None of the I.G. liaison men was even engaged in espionage activities with my client's knowledge or consent, much less did any of them ever receive orders from him to do so.

Since, however, this accumulation of inaccuracies is not yet enough, it is finally my client himself who, according to the Prosecution, went abroad to act there quasi as chief of the espionage organization. Now, it is true that my client on his business trips proceeded rather conspicuously; he was accompanied by other people, and his universal personal attitude caused him to get in contact with a great many important persons of the respective country. His interest covered all institutions of note in, I suppose, every field, and every one that took an interest in him knew in which place the "great spy" just was, at which hotel he had put up, what his thoughts were, and what he ate. Such a man who was constantly in the lime-light, who took an interest in everything and who was sincere and upright is, indeed, a poor spy! Nothing is more unlike the character of my client, nothing is rejected with greater indignation by him, than the allegation that he had utilized his business connections for the planning and preparation of aggressive war.

When presenting my documentary evidence I shall submit to the Tribunal the text of the speeches - as far as these are still available and accessible to me - made by my client at home and abroad. Thus, in 1937 in Paris Herr Dr. ILGNER made a speech before the

Opening Statement ILGNER

International Chamber of Commerce. In 1938 he lectured at the Institute for World Economy at the University of Kiel; in the same year he spoke at a meeting of the German-Dutch Society in Berlin; in 1941 before the Central European Economy Conference in Vienna. There followed speeches made by him during the war in Budapest, before the Union of Industrialists; and in Bucharest in the course of the German-Rumanian Industrial-Committee-Conference. My client spoke also in Oslo, Stockholm and Copenhagen.

These speeches show with all clearness how far-reaching and open-minded the efforts were by which my client endeavored to bring about an understanding and economic cooperation between Germany and the other nations. However, these efforts, of which my client and the rest of the Vorstand members were taking a long view, were necessarily based on the assumption that peace could be maintained. But when this unfortunate war broke out nevertheless, it was precisely my client - as the witness Dr. Kurt KRUEGER testified to, and as further witnesses will prove - who did not want to believe in its outbreak. Dr. ILGNER's economic planning and work was based upon peace; any war was bound to destroy his lifework.

Once this war had become a fact, however, and connections with overseas countries being disrupted, my client turned to the intensification of economic relations that existed with



Opening Statement ILGNER

the South-East-European countries, thus taking up again an old idea dating back to the year 1932. We have heard here of the soya bean scheme in Rumania and Bulgaria, and the Danube-reed scheme was mentioned as well. The very personal attitude that my client took toward the South-East-European countries also during the war is characteristic of his attitude toward Germany's economic relations with the rest of the world.

Concerning this I shall present to the Tribunal, in addition to other evidence, the report on an investigation made by an English institute, which made Germany's economic policies in South-East Europe the subject of a critical analysis and in so doing came to an appreciative judgment.

The Prosecution finally believes that it can charge Herr Dr. ILGNER with having made propaganda abroad for the National Socialist State and refers in this connection to the so-called "Circle of Economy Leaders", of whom my client was a member and which was conspicuous for its short span of life.

Permit me to first submit that there is no law which might serve the Court as a basis for its findings according to which any support abroad of one's country and government, even propagandist activity, is regarded as a punishable act. The Prosecution would have to produce evidence - not merely make an ascertainment - that this alleged propaganda had aimed at unleashing a war.

Opening Statement ILGNER

For the rest, any propaganda on the part of my client, such as the Prosecution alleges is out of the question. We know that in 1933 a vigorous campaign was carried on abroad and in particular in the United States against German export goods and I.G. products. We are somewhat surprised to note that the prosecuting authority thinks it can base a charge on the fact that this boycott propaganda had been countered by the firms involved. The American propaganda expert Ivy LEE was commissioned by the I.G. and asked for advice how this serious obstruction of business could be countered. I shall prove that this activity of the late Mr. Ivy LEE in U.S. is unobjectionable and did not by far have the tendency and the scope as the Prosecution wants us to believe.

Like many millions of men at home and also abroad, Herr Dr. ILGNER thought when National Socialism came to power, that the excesses and blunders of the Third Reich would turn out to be just that, as time went on. He cherished the hope that the economic relations with foreign countries could be maintained and continued in the old form, and thought at first that he could counsel indulgence. In the subsequent years, however, he realized the true nature of the unfolding Nazi dictatorship, and assisted political and racial persecutees



Opening Statement ILGNER

in deliberate opposition to National-Socialism. This attitude of my client at home and abroad has nothing whatever to do with the planning or preparation of a war of aggression.

In indicating to Your Honours the broad outlines of the most essential subjects of my argumentation in regard to Count I of the Indictment, I am well aware that the Prosecution will attempt just the same to maintain its statements, giving as a reason that it had been just camouflage, when the I.G. with considerable expenses endeavored to maintain the close connection with the world markets, in order to step up its exports. It will explain to you, Your Honours, that it is in the very nature of espionage to give everything the appearance of harmlessness and lawfulness, whereas in truth all organizations and intentions of my client had been directed at espionage and, therefore, at making and planning of a war of aggression. Against that I wish to state here and now that I am not going to produce any arguments of the type called "probatio diabolica" in Roman law. It was solely up to the Prosecution to prove its statements. It failed.

II.

I now proceed to Count II, comprising the alleged cases of plunder and spoliation. In part II of the trial brief,

Opening Statement ILGHER

under B, the prosecuting authority enumerates the cases of spoliation which allegedly occurred in Austria, Czechoslovakia, Norway and France giving this section of its representation the more guarded heading "Spoliation Cases apparently legal in form."

I need not expatiate on this point. Insofar as my client is involved at all I shall prove, just as my colleagues of the Defense, that these transactions are not only "apparently legal", as the Prosecution puts it, but actually unobjectionable. Thus, the negotiations with the Skoda-Wetzlar Plants in Austria covered several years. Their origin goes back to a time long before Austria's Anschluss to the Reich. Any pressure or coercion on the part of the defendants is out of the question.

In my argumentation I shall submit counter-evidence for each case under discussion. This count of the indictment raises legal issues derived both from International Law and the Control Council Law No. 10, the solution of which eliminates a guilt of the defendants also for legal reasons. It will be the object of the Final Plea to discuss this.



Opening Statement ILGNER

III.

Finally, the Prosecution believed to be able to establish the guilt of the entire Vorstand of the I.G. under Count III, which the Prosecution pleases to furnish with the headline of "Enslavement and Mass Murder". My client was a member of the Vorstand. He had nothing whatever to do with foreign workers or with inmates of concentration camps in the scope of his work. No responsibility can be placed on Herr Dr. Max ILGNER under this count. The Prosecution endeavors to build up a personal guilt with far-fetched arguments. But neither the actual facts nor the tenets concerning the forms of participation in a crime, as understood by the criminal codes of all civilized nations and as they must be interpreted also on the basis of the Control Council Law No. 10, offer a possibility to place any responsibility upon my client.

If, in conclusion, I mention the fact that there was never a question of a common plan or conspiracy of the defendants in which Herr Dr. ILGNER is said to have taken part also (cf. Count V of Indictment), it is done for the sake of completion. Here also, the Prosecution still has to furnish proofs for its very indefinite assertions. In my argumentation I shall come back also to this point as far as necessary.

Opening Statement ILGNER

I hope to be able to demonstrate to the Court in my argumentation that Herr Dr. Max ILGNER is not guilty in the meaning of the Indictment.



Opening Statement HCHER

-----  
CERTIFICATE OF TRANSLATION  
-----

14 January 1949

We hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of document Opening Statement HCHER.

Rosl GETREU, ETO 45672, (Cover, Pages 1 - 3)

.....

Paul E. GROPP, AEO B 397975, (Pages 6 - 12, 16 - 17)

.....

Alfred OBERLAENDER, ETO 20192, (Pages 13 - 15)

.....

Frederic L. PERA, AEO B 397943, (Pages 4 - 7)

.....

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Friedrich J A E H N

English





*Defense*  
*Case 6*

O p e n i n g   S p e e c h

f o r

F r i e d r i c h   J a c h n e

b e f o r e

M i l i t a r y   T r i b u n a l   V I

N u e r n b e r g

By: Dr. Hans Pribilla  
Attorney at Law

*Eng.*



### Opening Plea Jaehne

---

Dr. Pribilla

Mr. President, Your Honors!

Like all great chemical factories, IG also had special technicians who in quiet, tireless labor made use of the ingenious discoveries of the chemists and doctors and planned and constructed in actual practice the mighty plants where the processes conceived in the laboratories became a reality. As Chairman of the Engineering Committee Director Jaehne was the first among these special technicians, a man whose qualifications as an engineering technician were in keeping with the size of the company which had placed him in this position and whose tremendous working sphere claimed all of his powers without exception.

The position of an engineer in a chemical factory is different than in other factories where the engineers make a practical use of their own inventions. Because of this special position of the engineer in the chemical factory my client had no influence on the question as to what should be produced and to what extent. They did not come to him until after the question whether the plant should be built and what was to be produced there was already decided. He was then the man who was asked how the plant should be built in the most efficient way possible, and who then also had to look after the necessary general installations, such as power plant, rail installations, wharf installations, workshops, etc.

Jaehne was Chief Engineer in Hoechst and since 1938 Deputy Plant Manager. By the nature of things his influence was less considerable in the other plants of the IG, since there were chief engineers there whose position in the organization was equal to his. Only his position as Chairman of the Engineering Commission (since 1931),



Opening Plea Jaehne

---

Dr. Pribilla

-2-

as member of the Technical Committee (since about 1933) and as at first deputy (1934) and later regular (since 1938) member of the Vorstand gave him any greater actual and personal influence.

Even in the Engineering Committee (Teko) he was only "primus inter pares". Here his main task was to utilize the latest advances in physics and engineering technique for the installations and plants of the IG factories. Furthermore, the Teko had to furnish cheap sources of power in large quantities, finally to make the knowledge acquired in the individual factories useful to the others, to see that the entire engineering system was conducted in a uniform way, to train young engineers and skilled workers, and to take part in discussions of personnel questions. The Teko was only one of the 30 committees of the Technical Committee (Tek). Not all credits, therefore, were submitted to it for opinion, but only such as concerned technical engineering questions, and the opinion of the Teko was accordingly given only from the engineer's point of view.

The Defense will prove that outside of these technical tasks which required his full attention Jaehne had neither the opportunity nor the desire to bother about the politics of the Third Reich. Besides this it will show that he was known to be a foe of any policy of war and violence. In spite of this the authorities at that time understandably wanted to make use of the outstanding knowledge of this man and made him a member of the Beirat of the Reichsgruppe Industrie. However, he did not engage in any active work in this position any more than as Military Economy Leader (Wehrwirtschaftsfuehrer), a title which the Reich Ministry of Economics

Opening Flea Jaehne  
-----

Dr. Pribilla

-3-

conferred upon him, and indeed, not until the war, at a time when it was ~~already~~ merely a title and required no preliminary examination as to political reliability. His work in the honorary offices conferred upon him lay, as the list of them shows and as will be proven in detail, always and exclusively in the purely technical field.

Now if I compare the counts of the indictment with the points of evidence of the Defense I may, after the statements of the speaker before me, completely save myself any general remarks.

Director Jaehne did not take part in the planning and waging of wars of aggression, in any case no more than did some farmer who tilled his field and during the war contributed the products of his labor to feeding the soldiers. Like this farmer my client only did his duty as a citizen and nothing of a criminal nature.

Jaehne's position as the first engineering technician of the IG naturally resulted in his technical advice being sought in the field of air raid protection also, where indeed <sup>mainly</sup> the construction of air raid shelters was involved, at any rate purely technical matters. However, it will be shown that this was a question of a plainly defensive measure, which had long been taken into consideration in all endangered nations. Going beyond this the Defense will show that in keeping with his entire character which was completely set on work of a peaceful nature, Jaehne went slow, was economical and opposed the demands of the Armed Forces whenever he could.



Opening Plea Jahne

---

Dr. Pribilla

-4-

As his position required Director Jahne also took part in preliminary work for the employment plans of the Hoechst plant in the case of mobilization. It will be shown that this had nothing to do with a war of aggression either, but kept within the bounds of the measures of national defense customary in all countries. His activity was limited to giving the figures in projects and raw materials for the technical engineering branch which would be needed for the production foreseen for this branch of the plant.

Besides that I shall prove that the Hoechst plant, like the Ludwigshafen plant, did not supply any real armament products. They were definitely geared to peacetime production. The investments were also used accordingly. If in the course of the war certain intermediate products of peacetime industry were used as intermediate products of wartime industry, then this is a necessary development and a phenomenon which lies in the nature of the chemical industry, which indeed in the last analysis always resorts to the same original products. The only exception is the sulfur-trioxide-chlorosulfonic acid solution (Nebelsäure) which was already being supplied for military purposes in peacetime. However, Hoechst had already supplied this before 1933 to the small German army and tiny German navy for purely defensive purposes. The explosive hexogen was neither invented nor manufactured in Hoechst. On the contrary, some chemists at the plant merely discovered a new manufacturing process in the laboratory, and indeed in 1935, at a time, therefore, when Director Jahne was not yet Deputy Plant Manager of the Hoechst plant and Deputy Manager of the Ludwigshafen plant.

OPENING PIEA JAEHNE

Dr. Pribilla

To the count relating to "Spoliation" the name of my client is mentioned in the documents of the indictment only in connection with the oxygen- and acetylene factory in Metz-Diedenhofen. In this matter several letters of information have been forwarded, among other places, also to Director Jaehne. Any active participation on the part of my client cannot be construed from these documents. The defense will prove that the negotiations were conducted by the commercial-judicial department while the technicians were only consulted in regard to questions of assessment. The defense will furthermore prove that actually only a lease and not a sale was concluded and that the value of the plant increased quite considerably as a result of the investments made by the I.G. Jaehne had no knowledge of the fact that shortly before the end of the war a small installation from a Polish factory had been shipped to Offenbach on the Main, since only a few machines with the insignificant value of about RM 20,000 were in question, and in view of the fact that the Hoechst plant had neither induced the sale nor received any information thereof. Herr Jaehne had nothing to do with the recruitment and the use of foreigners and concentration camp inmates carried out by the I.G. If applications for credit, submitted by the plants for the construction of barracks for German workers and foreign labor passed through the office of the Technical Committee, or were approved in technical respect by the Engineering Committee, it was in this case nothing but a formal procedure in view of the fact that the type of barracks, their numbers and size, including the adjoining buildings for a specific number of workers, had been fixed for a long time and therefore also the costs for each bed space. The funds were granted to the individual plants which requested them for the improvement of the workers' quarters.



- 6 -

Dr. Pribilla

and a rejection would have resulted in a deterioration of the foreign workers' lot.

As regards the conditions in the Hoechst plants the defense will prove that the number stated for loaned workers etc. in the visual Exh. 1559 (NE 7376 A), Document Book 68, page 17a, is incorrect and bound to be misleading in view of the fact that no inmates of concentration camps had been employed in Hoechst at all. In refuting the affidavit De Bruyn, Exh. 1367 (NE 11613), Document Book 69, page 207, evidence will be submitted beyond this that the employment of foreigners and prisoners of war was conducted in a reasonable manner and was not in violation of Article 31 of the Geneva Convention, dated 27 July 1929, furthermore that arrangements had been made for adequate housing, food, good medical care, schools, sewing rooms etc. and that the plant manager, Professor Lautenschlaeger and Herr Jaehne, as his deputy, made particular efforts to this effect. Correspondingly, the treatment of the foreigners in Hoechst was decent and humane. Beyond this, arrangements had also been made in a generous way for recreational facilities. There were large club-rooms with radio, newspapers, libraries, canteens, athletic fields, sporting equipment, theater, moving pictures theater and, above all, the possibility to attend religious services. On the part of the plant management everything was done that was possible under the unfortunately prevailing war conditions.

It was due to his technical engineering position that he inspected many plants of the I.G. for the purpose of solving any special technical problem. Thus, he also paid a brief and fleeting visit to the I.G. plant in Auschwitz. As it can be proven, he did not enter the Monowitz concentration camp during this visit and has not seen anything which ought to have induced him to interfere

- 6 -

OPENING PLEA JAEHNE

- 7 -

Dr. Pribilla

with the independent management of this plant which did not belong to his jurisdiction. Neither has he obtained a knowledge of gasings based on own observation or any knowledge going beyond rumors.

The defense for the defendant Jaehne will open its argumentation through interrogation of the defendant in his own case and thereafter will conclude it by producing of documents and affidavits as well as the interrogation of a few less important witnesses.

\*\*\*\*\*

"End"

- 7 -



OPENING PLEA JACHNE

CERTIFICATE OF TRANSLATION

15, December 1947

We, Fred Salomon, AGO No. A - 446 622, and John B. Robinson, AGO No. X - 046 350, hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Opening Plea Jachne.

Fred Salomon  
AGO No. A - 446 622

John B. Robinson  
AGO No. X - 046 350

"End"

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. von KNIERIM

English





Case 6  
Defense

OPENING \* STATEMENT

by

Horst Pelckmann, Attorney-at-Law  
Defense Counsel

of the defendant

Dr. von KRIEGER

in the case of

THE UNITED STATES OF AMERICA

- vs. -

CARL KRAUCH et al.

before

Military Tribunal No. 6

Nurnberg, Germany.

gung



May it please the Tribunal:

The arguments of the Prosecution are directed in general against all defendants with regard to their position in or towards the NSDAP or their importance within the German economic life.

The defendant Dr. v. Knieriem held himself completely aloof apart from his formal entry into the NSDAP in 1942 from Party circles. His collaboration within the self-administration agencies (Reich Group Industry, Economic Group Chemical Industry) and state organizations was due to his recognition as an expert in questions of the patent, cartel and corporation laws and was limited to these specific fields.

The defense regarding the specific counts of the indictment necessitates an explanation of the position and the sphere of responsibility of the defendant.

Dr. v. Knieriem was - at any rate since 1938 - the first lawyer of the IG. This designation and the meaning of this position can be understood only if one is familiar with <sup>the</sup> decentralization system of legal matters at the IG.

Dr. von Knieriem was not the Chief of the Legal Department of the IG, because such a department did not exist. It was also not his duty to take care of all legal matters. The judicial activity in such an enterprise

is that of an auxiliary function, assisting the technicians and businessmen in their tasks and was like the latter completely decentralized. A number of independent working legal departments existed, which advised on their own responsibility the technicians and businessmen of their respective offices. Herr von Knieriem



did not supervise the activity of these legal departments and did not have to do so. A different regulation was impossible because of the size of the enterprise; it was impossible too, with respect to the diversity of production and the complexity of the chemical field in general, which obliged the jurists in the various legal departments to become technically and commercially informed experts. Because of this independent working of the legal departments, the Central Offices for Contracts was set up, which, however, at the conclusion of a new contract solely had to examine the question of a possible collision. Furthermore, the so-called legal committee existed. It met about twice a year under the chairmanship of Herr von Knieriem in order to coordinate certain general doubtful questions and to receive reports, such as submitted by Herr von Knieriem regarding his special field of activity of internal matters pertaining to corporation law, as for instance, general meetings, consolidated balance sheets, balances, capital changes, statutes, charters, loans, structural changes within the concern; further questions concerning the sphere of patents which played a large part within the IG and which was under the direction of Herr v. Knieriem, whereas it did not concern the duties of the other IG jurists.

Among the counts of the indictment which touch upon the spheres of Herr v. Knieriem's activity, or in which business events are connected with his name, are especially such events which are unjustly viewed as

suspicious collaboration with military or other state authorities toward the preparation of an aggressive war. I shall show in detail that the treatment of patent matters was an unobjectionable one in every respect. The measures designated as "Camouflage" do not indicate in any way that the IG or my client had any knowledge of an imminent aggressive war, or even that the intention was prevalent to promote such a war. The charges that the IG intentionally tried to weaken the war potential of other countries through its so-called cartels will be proved during the hearing of evidence to be completely unfounded since the purely private economic character of such agreements has been established. In that connection I shall go also into details concerning the contractual relation with the Standard Oil Co. of New Jersey, created with the collaboration of Dr. v. Knieriem which has been treated in detail by the Prosecution. Despite the large number of documents submitted by the Prosecution concerning the cartel question, I shall restrict myself to the fact essential for the trial, because I am well aware that the fundamental question of the value or non-value of cartels does not have to be examined either by the Prosecution or by the Defense.

The personal knowledge of my client of the so-called rearmament measures which have been criticized by the Prosecution, and his attitude to them will be dealt with in the course of my statements.

In the course of the discussion of general questions, concerning all defendants, I shall submit facts pertaining to the joint responsibility



of the Vorstand and the responsibility of the individual members of the Vorstand, and I intend to show in what manner the code of business procedure, submitted by the Prosecution, which had been drawn up at that time by Dr. von Knieriem, was handled in practice.

-.-

I, A. Ehrmann, ETO 20 116, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct copy from the official transcript of the Opening Statement for the defendant Dr. v. Knieriem.

Nuernberg, 13 January 1949.

A. Ehrmann  
ETO 20 116.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Carl KRAUCH

English





Case 6  
Defense

OPENING STATEMENT

for the defendant

CARL KRAUCH

before

Military Tribunal Case VI

presented by

Dr. CONRAD BOETTCHER  
Attorney-at-Law



At the very outset the defense will have to decide upon the difficult question of whether its plea ought to be adjusted to the truly mammothlike dimensions of the indictment: Will it have to follow the lines of the indictment with its exaggerations made for sensational purposes, or ought it to follow strictly impersonal, maybe even sober, lines? I have, with due consideration of the character and the wishes of Dr. Krauch, decided upon taking the latter course, and may consider myself very fortunate, as a defense counsel, in having to defend a client whose attitude is in conformity with my own feelings. I have, therefore, chosen a way of stating the evidence in this case which, in its character, tenor and size, restricts itself to the absolutely essential, deliberately avoiding all possibilities of creating a sensation.

- I. In his opening statement, General Taylor put special emphasis on the accusation made by the indictment, according to which the defendant Dr. Krauch was among those who bear the greater part of the responsibility for the fact that humanity was visited with the most destructive and catastrophic war history has ever known. He has accused him of mass enslavements, wholesale plunder and mass-murder. My presentation of evidence will aim at disproving these terrible accusations in every respect. I shall show in detail that, instead of being an ambitious and ruthless industrial magnate, Dr. Krauch is an honorable, Christian, simple man, a research-worker and scientist conscious of his responsibilities, who never committed a punishable offense, but devoted his whole life to technical and scientific progress, and this not only for the advantage of Germany, but also for that of other countries, not least to that of the



United States of America.

Under count 19 the indictment states the following: "The I.G. synchronized its whole activity with the military planning of the German High Command." It also specifically refers to the "Vermittlungsstelle W" and in connection with this to the activities of the defendant Dr. Krauch. It further states that: "The I.G. collaborated in the drawing up of the Four Year Plan and took part in directing the economic mobilization of Germany for the war."

Contrary to this, my own thesis is that the activities described in count 19 et seq. of the indictment, especially those of the defendant Krauch, in the "Vermittlungsstelle W", and participation in the Four Year Plan cannot be called an activity or preparation for an aggressive war and also not collaboration in conducting a war of aggression. I shall produce evidence for this thesis by questioning the defendant Krauch, whom I shall call to the witness-stand for this purpose.

I shall make it a special point in my argumentation to describe the attitude of the defendant Krauch towards the official authorities of the National Socialist government from 1933 onwards, as well as the development of his activities, and for this purpose, I shall make use of the defendant's own statements and other evidence.

It will be seen that establishing contact with the official authorities of the National Socialist government was nothing out of the ordinary, as the I.G. had made it a habit, already before 1933, to maintain connections with the government as, on the one hand, the I.G. was interested in being kept informed of the trend of the economic policy of the government, and, on the other hand, each government office had an interest in being kept informed about the economic position of an enterprise such as the I.G. However, these contacts were not established by Dr. Krauch,

due to some political motive or other, but because Dr. Krauch was an internationally recognized authority in the field of hydrates, nitrates and buna, etc. The beginning of his preparatory work, his knowledge and his international connections date back to 20 years before 1933. The evidence will prove that Krauch was always guided in his actions by the desire to avoid, by clever economic guidance, a repetition of the economic events of the years between 1929 and 1933, which proved so disastrous to the working classes. Therefore, he welcomed the economic boom which was caused in the year 1933 by the employment program of the new government. That this employment program served, to a degree, purposes of armament and rearmament of Germany will not be disputed here. The evidence will, however, solidify its point of view that such knowledge cannot be proved to be identical with the intention of starting a war, and certainly not with that of starting a war of aggression. One will also have to consider his joining the Raw Material and Foreign Exchange Staff in 1936 and, later on, the Four Year Plan, from the same point of view.

In this connection Dr. Krauch's position as General Plenipotentiary Chemistry within the Four Year Plan will have to be clarified, a matter which the prosecution has completely neglected to date. The prosecution calls Dr. Krauch the right hand of Goering. However, Krauch was in charge of only one of over 20 offices of the Four Year Plan which were coordinated and co-existent, and to prove this I shall put a table of organization of the Four Year Plan before you. I do not suppose that I will expect to produce counter-evidence proving that Goering was not a man who had more than 20 right hands. In accordance with the predilection for bombastic titles inherent in Nazi-ideology, Krauch was given the title of Plenipotentiary General for Special Questions of Chemistry, but the evidence will prove that, in spite of this title, he had no part in the exercise of any rights or authority. He was a superior general expert of high standing,



but not even this in the whole field of chemistry, but only for some special fields in which he had been known for decades for his expert knowledge. However, all that an expert has to do is to pass on the suggestions made by others; others had to make the decisions and regulations, as shall be proved by the evidence.

As far as the close connection is concerned which, according to the indictment existed between the IG and the activities of Dr. Krauch in the Reich Amt fuer "Wirtschaftsausbau" , (Economic Development) in the Four Year Plan, I shall prove that Dr. Krauch's activities for the Reich Office for Economic Development and as General Plenipotentiary Chemistry were strictly separated from those of the IG. Even for reasons of personal integrity Krauch stuck to complete neutrality in his official actions towards the IG. This is emphasized by the fact that, from 1936 Krauch was only a passive and no longer an active member of the Vorstand. Nor did he exercise his function as Vorsitzender of the Aufsichtsrat after spring 1940, but always left it to his deputy.

If Krauch was prepared to collaborate with the State, he certainly did this neither out of ambition, nor out of a desire for recognition, nor for the sake of honors and titles, but out of a feeling of personal responsibility towards industry and urged on by a man who was anything but a friend of the National Socialists, i.e., the outstanding scientist, Carl Bosch, who was, at that time, Vorsitzender of the "Aufsichtsrat" of the IG. The knowledge<sup>of</sup>/conditions in other countries, where proved and experienced industrial leaders had also put their services at the disposal of the authorities for certain purposes - they are known to history as a "dollar-a-year men"- helped him to make up his mind when he took over the duties of an advisor for the Four Year Plan. The focal point in my presentation of evidence will be to give a description of these facts and his reasons for taking over this work in the Raw Material und Foreign Exchange Staff of the Four Year Plan, since this shows that not an ambition for power, not power motives, influenced Krauch, but that, according to Carl Bosch's own words, it was the aim of "rescuing science from Hitler" and keeping away party men who influenced economy in a sense that did not correspond to



reasonable economic aims.

II. I will then express my opinion with regard to Count II and show that Dr. Krauch

- 1) neither in his position as director of the Reich Office for Economic Organization, nor as Plenipotentiary General for Special Questions of Chemical Production, participated in the actions dealt with there and termed criminal by the Prosecution;
- 2) and that the same also applies to him as a member of the Farben administration. I must in this connection mention again that Dr. Krauch as of 1936 materially no longer was <sup>and</sup> a member of the Vorstand/that he in a material sense no longer exercised a function as Vorsitzender of the Aufsichtsrat.

Moreover, I shall show that he, on the contrary, actively interceded on behalf of the protection of the economy of the occupied countries. I only cite two illustrations which will be dealt with during the presentation of evidence. This is the protection of the nitrogen industries of Belgium, Northern France and Holland from the dismantling intended by the authorities, and the prevention of the removal of the large scientific laboratory which belonged to the Shell concern in Amsterdam. In both cases Dr. Krauch successfully resisted with all his might measures of which he disapproved and which might have been designated as robbery and spoliation.

III. With regard to the question of the employment of foreign workers and concentration camp inmates, I will within the framework of the presentation of the rest of my evidence proceed from the point of view that any criminal responsibility on the part of Dr. Krauch is lacking. I have already explained that one of the essential points of the presentation of my evidence will be to refute the charges of the Prosecution by bringing back Dr. Krauch's authority and competency to the proper level, namely that of a Government scientific expert for special questions of chemical production in the Four Year Plan. Dr. Krauch, however, in his capacity as Gebechemie, never had complete power and complete authority where the conscription, utilization and allocation of labor was concerned.

The aim of the presentation of the evidence will be to make Dr. Krauch's activity in this connection quite clear; he was here also the expert (Gutachter) for the numbers and quotas of workers who had been requested by other agencies as being necessary for certain building projects; he had to give his expert opinion on the allocation of the workers- but never to allocate them himself- according to the various priority grades set by the authorities above him; just as he had to give his opinion as to what material, what type of material, what sort of construction etc. were necessary and appropriate. The question of labor allocation itself was a matter for the labor allocation authorities. If, as the presentation of my evidence will show, he had, moreover, charge of the welfare of the workers of the large construction projects in which he had been consulted, he did so for humanitarian and humane reasons, because with the hardship of the ever increasing economic difficulties of the war years, many troubles were taken to him, especially those connected with the accommodation, feeding and clothing of the workers employed on the building projects he had advised on.



Here also Dr. Krauch, for economic reasons, but especially also for purely humane reasons, considered it his duty to intervene and to organize and exchange of experiences. This care of the workers will therefore form another point in the presentation of my evidence.

The employment of workers under coercion also plays a great part in the presentation of evidence by the Prosecution. I shall show that Krauch clearly recognized this problem. On the basis of his own human development he was against such employment under coercion since he, as a scientist, upheld only the ethics of voluntary labor. He advocated this principle in every possible way. Based on experiences 20 years ago, during the reconstruction of the destroyed Farben Plant at Oppau, he, therefore, at an earlier date introduced voluntary work by way of a voluntary employment of the workers of whole firms, the so-called firm allocation. As my presentation of evidence will show, Dr. Krauch also continued to pursue this theory when the program of the Plenipotentiary General for Labor Allocation for recruiting workers under coercion was started. The presentation of evidence will show that Dr. Krauch, even after this date, successfully continued the so-called "Firm Allocation" against the tendency of official authorities. In this connection I shall be able to prove that Dr. Krauch in no way participated in the establishment of the laws for this compulsory labor allocation program, nor in the enforcement of these laws. With regard to all these questions he was, because of his position, on a medium level which had nothing whatever to do with such fundamental decisions as making suggestions on the one hand or giving orders on the other hand.

Dr. Hellmut Dix, Attorney-at-Law, deals with general questions of labor allocation. In order to avoid overlapping and to shorten the proceedings I shall not deal with these general questions, unless,

I should have to add something in particular for the defense of my client after the presentation of evidence by Dr. Hellmut Dix.

- IV. In one last point I shall show that Dr. Krauch used this very position as Plenipotentiary General for Chemistry to prevent measures and that had been adopted by National Socialist offices against Jews, scientists, church and scientists institutions, measures that were not reconcilable with his conscience. I shall have a case described here, where Dr. Krauch successfully intervened when he heard of abuses by those who had the care of concentration camp inmates - outside of Farben, as I wish to emphasize - further, where his assistance in taking measures not only saved the lives but also the intellectual standing of Russian scientists who had fled from the Ukraine.

Summarizing, the substance of my presentation of evidence is:

The indictment has been drowned in a sea of facts. Behind the facts is the man, and the grave factual charge, which I have to raise against the Prosecution, is that it has forgotten the man in these proceedings, which, as it asserts, have been initiated for the sake of humanity. It is the difficult but also pleasant task of the Defense to draw the picture of the man Krauch and to prove the following: Krauch is not a man of the selfish, inconsiderate and unscrupulous aggressive war, not a robber and not a plunderer, not a cold-hearted slave dealer and not a slave driver. The formulations and appeals which the Prosecution chooses may be effective for political propaganda, but they have nothing to do with the establishment of criminal facts. As has already been stressed, I shall, in short but essential strokes, present a picture for the presentation of evidence, whereby the Tribunal will certainly realize in view of the gravity of the task, that I cannot forego the minute details.



I do not wish to conclude this opening statement without recalling the moment which, in Dr. Krauch's and my own opinion, was the most touching one in the course of the sessions up to now, namely, when Dr. Kellor, on the occasion of the interrogation of the witness Spielvogel, expressed the deepest human regret for all the sufferings to which innocent people had to submit during the twelve years. Dr. Krauch and I myself have taken these words deeply to heart, and the more we rely on the result of our presentation of evidence, the more are we in a position to conclude this first opening statement in the Farben case with the words, "In reverence we bow to the unfortunate victims of these unhappy twelve years."

-----  
CERTIFICATE OF TRANSLATION

13 January 1949

I, Emilie Hinchliffe, ETO No. 2C152, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of page 7 of the original document.

( pages 1-6 and 8-10  
have been copied from  
the official  
transcript pp.4711-4720) "END"

Emilie Hinchliffe  
ETO No. 2C152

CASE 6 - TRIBUNAL VI

DEFENSE

(see letter inside)

Opening Statement for Hans KUEHN

English





CASE NO. 6 - TRIBUNAL VI

**DEFENSE**

Opening Statement for Defendant Kuehne.

No Opening Statement was submitted.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Hans KUGLER

English





Defense  
Case 6

OPENING STATEMENT

by

Attorney-at-Law Holmuth H o n z e

before the

American Military Tribunal VI

Nuernberg

as Defense Counsel

for

Dr. Hans KUGLER

*Hung*



OPENING STATEMENT KUGLER

May it please the Tribunal, the Prosecution presents the Defense Counsel in this case with the difficult task of selecting from the voluminous Prosecution material that which refers to the individual defendants. The Prosecution did not specify its material as regards persons. There is the danger of occupying oneself with things that are far removed, which is not in the interest of expediting the proceedings. This danger is especially great in the case of my client, Dr. Hans KUGLER, since he occupies a less important place in this trial, in view of his position in the I.G. I shall endeavor to avoid the introduction of less relevant matter, but nevertheless consider, that it is not my fault if I do not succeed.

In my deliberations I must start from the fact that my client was not a member of the Vorstand of the I.G. Consequently he did not have even the responsibility conferred upon a member of a Vorstand by the law relating to joint stock companies, which - as one of my colleagues had already explained - is a responsibility of civil law but not criminal law. My client, as regards his business dealings, was responsible merely to his superiors. He was, however, also dependent on the instructions of his superiors. I shall have to examine, and I ask Your Honors to observe in the examination, whether in the individual cases my client carried out instructions issued to him or acted independently within the scope of the sphere assigned to him. In the former case, it is of significance whether my client recognized or had to recognize a possibly existing intention, which corresponds to the assertions of the Prosecution, if such existed in the case of his superiors at all. How far I shall still have to investigate these points of view particularly and in detail depends on the further course of the proceedings.

Since my client was merely a member of some of the committees of the IG and these committees were no real legal entities but were composed arbitrarily as required, from the point of view of criminal law, his



OPENING STATEMENT KUGLER

position cannot be treated otherwise than that of every other fellow-citizen who lived in Germany. I assert that the above-mentioned committee of the IG did not have the bad character at all that the Prosecution would ascribe to them. I shall produce further detailed evidence of this and of the importance of my client in these committees.

My client was a merchant, he sold dye-stuffs, he worked in an office where there were only commercial employees, not wage laborers. This fact will circumscribe my presentation of evidence. This view of mine is in accord with what General Taylor explained when summing up at the close of his opening statement. He mentioned my client only in connection with Counts I and II of the indictment. This reference will determine my arguments.

Apart from the allegation that my client directly contravened Control Council Law No. 10 by his own actions, the Prosecution further asserts that my client, along with the other defendants, participated in a joint plan or conspiracy aiming at the preparation of the war of aggression. If those men whom the Honorable Tribunal has to try were such a set of conspirators then it must be assumed that they knew each other well and also frequently met to discuss their plans. The objection cannot be raised that conspirators generally did not do this because they did not wish to become known or fall into the hands of the police. This may have been the case with historical conspiracies because the conspirators were turning against their own state. It could not have been so if the defendants along with their government, with whom they are supposed to have formed an alliance already in 1933, had conspired against world peace. In their own country they would have had no police to fear. Therefore they could do it.

In addition I should like to refer to the fact that my client was 32 years of age and Prokurist of the IG when the activity of the defendant regarded as criminal by the Prosecution began. At that time there were already hundreds of Prokuristen in the IG. Further, I should like to remark that my client knew most of the gentlemen now sitting here only

OPENING STATEMENT KUGLER

by name in the first half of the period from 1933, only with very few was he in close contact. I touch upon these viewpoints at the moment merely to make my assertion comprehensible, that my client certainly cannot have collaborated in that phantasm of the Prosecution, the joint plan of these defendants. The documentary material does not supply to me any clues that contrary to this opinion, which is proved as prima facie correct by the position of my client in the IG, instances exist to show that he consciously and in co-operation with others, worked at the alleged joint plan against peace.

The Prosecution accuses my client of having participated personally in the planning and preparation of aggressive war. In Count I of the Indictment the Prosecution has been at pains to erect a mosaic-like structure supposed to represent a causal connection between the activity of the defendants and the aggressive war begun in 1939. I shall have to remove from this mosaic the little pieces connected with the work of my client. I shall furnish proof that this activity can serve other purposes than the criminal one alleged by the Prosecution, namely the preparation of aggressive war. In a modern State one can naturally connect each action of a citizen with a war, since the whole economic life in a war is of significance in all its details for the conduct of the war. I mention that the fact that someone sells dye-stuffs to Roumania at the same time puts the state in a position to buy foodstuffs of leather for shoes for the armed forces with the money realised. My argumentation, Your Honors, will show you that much that the Prosecution represents as an action aimed at aggressive war proves to be a harmless business incident, when looked at it in a light other than that in which a suspicious interrogator looks at it.



OPENING STATEMENT KUGLER

It is essential, therefore, since many business incidents can also be very significant for a war, to pay particular attention in this count of the indictment not to the objective but to the subjective side, the question of guilt, the question of the knowledge about certain things, the question of the knowledge of connections with this war and its preparation. General Taylor himself stressed the importance of this question when he drew special attention to the guilt question. Since the Prosecution has produced nothing from which I can deduce that my client is accused of special knowledge of the preparation of an aggressive war, I find myself constrained to investigate whether my client had a special knowledge or a general knowledge of the intention of the leadership of the Reich to prepare aggressive wars.

It is known to the Honorable Tribunal that the IMT acquitted the former Minister of Economics and President of the Reichsbank Schacht of the charge of participation in the preparation of aggressive war, because Schacht, in spite of the fact that he was Reichsminister, did not belong to the inner circle of the initiated to whom Hitler's plans were known. So I contrast the Reichsminister Schacht with the Prokurist of IG Farbenindustrie and sales manager for dye-stuffs in some of the southern European countries, Dr. Hans KUGLER. The Prosecution has not undertaken to prove that this defendant possibly knew more than Schacht, that he had special information instructing him about Hitler's plans. In my argumentation I shall examine the business incidents cited by the Prosecution in order to try to prove on my part over and beyond the unsuccessful proof of the Prosecution, that my client directed his business activity not towards an aggressive war but towards ends that were not criminal.

I now turn to the accusations brought against my client by the Prosecution under Count II of the Indictment. In view of the division of labor agreed to between myself and my colleagues, I am dealing principally with the events

OPENING STATEMENT KUGLER

which took place in the autumn of 1938 in the part of Czechoslovakia called the Sudetenland.

The Prosecution accuses the defendant of robbery and plunder. According to the legal concepts taught in this country in the period before the Third Reich, robbery or plunder implies the taking away by force of property not one's own. An essential criterion is the unwillingness of the owner. According to the statement of the Prosecution, it seems doubtful whether also in other countries the taking away by force of property not one's own is identical with the concept of robbery and plunder. It expresses the idea that every change of ownership effected in a country where the German Armed Forces were, represented robbery. I should like to remark that the Prosecution furnished documentary proof that, by an order of Keitel, the armed forces as far as they were in excess of peace-time strength, were withdrawn from the Sudetenland on 20 October. It seems immaterial to the Prosecution whether direct pressure was exercised on the former owners or whether the buying price was acceptable or not. I leave it to the Honorable Tribunal to ascertain whether the Prosecution thereby disavowed the principles of penal law which, in my opinion, are immovable, by including facts in the term robbery and plunder which were not characterized as such in any of the civilized countries and do not correspond to Control Council Law 10 either, in which acts of force against property are spoken of.

To judge by their presentation of evidence it seems doubtful even to the Prosecution itself whether the acts committed before 1 September 1939 are to be looked upon as war crimes in the sense of Control Council Law No. 10, because, in the case of Sudetenland, there was no state of war. It wishes therefore as a precaution to regard these facts as a crime against humanity in the hope that the Tribunal will at least agree to this extent, even though for legal reasons it believes it has to deny the existence of a war crime in the case of the measures in the Sudetenland. However, I am of the opinion that there can be no question of a crime against humanity either, because, according to the judgment of the IMT, acts of the kind must be connected with an aggressive war



OPENING STATEMENT KUBARK

or its execution. This judgment was given when Control Council Law 10 was already issued and makes it evident that the Control Council Law 10 was intended to have no effect going beyond the Charter. Otherwise the IMT, since Control Council Law 10 was already in existence when the judgment was pronounced, would not have adopted the well-known averse attitude in the question of the condemnation of crimes against humanity which were not in connection with a war.

Independent of that, I shall have to discuss the events of autumn 1938 in my presentation of evidence to prove to the Tribunal that for objective and subjective reasons a crime against humanity is not to be considered existent.

The facts of that time are largely incontestable. It is an essential question whether the representatives of the Prager Verein acted under duress. The question is whether the compulsion was one caused by the circumstances at the time which made it appear advisable to the management of the Verein to shift the bulk of their production to the south and to part with the Aussig and Falkenau works. Such a tendency was already discernible in 1937 as I shall prove. The further question is whether the contract with IG was concluded under direct compulsion excluding freedom of action.

The term Zwang (duress) has been discussed more than once before this Tribunal already. The Honorable Tribunal considered itself obliged to establish that no duress existed. In this question, therefore, we can almost speak of an established jurisdiction. I believe I may venture a comparative allusion here and affirm that circumstances as described by the witness Dvoracek were in no way such that duress on the part of IG can be spoken of. The witness Dvoracek left Prague which was not occupied by the Wehrmacht voluntarily with his business friends in 1938 at a time when - I mentioned it already - troops in the Sudetenland, too, were in peace-time strength.

OPENING STATEMENT KUGLER

CERTIFICATE of TRANSLATION

January 18, 1949

I, Ludwig Borinski, AGO No. 34486, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Opening Statement Kugler, pages 1/1-6.

Ludwig Borinski  
AGO No. 34486



OPENING STATEMENT KUGLER.

He was not compulsorily taken to the negotiations, shall we say in the morning from a Military prison. He could travel back to the unoccupied country with his friends and did not need to have the unpleasant feeling of having to return to this prison in the evening. Therefore, he was not under pressure from threatening accompanying circumstances when he was confronted with the question of signing the contract with IG. He did not have to expect physical mal-treatment of any kind or any sort of reproaches. He himself has denied before this Tribunal that he had to fear disadvantages in the event of refusing to sign the contract. To call his signature involuntary is certainly not possible.

General Taylor in his Opening Statement says himself that the general principles of penal law are to be applied in these proceedings. In particular he stresses that the guilt of the defendants in these events must be proven. Therefore, I ask the Honorable Tribunal to follow me briefly and permit me some statements which, in my opinion, prove that the defendants in general and my client in particular in the events which took place in the autumn of 1938 in Czechoslovakia must have been unaware that it was a criminal invasion at that time. These opinions concern the charges contained in Count I of the Indictment, as far as this period is involved, as well as the charges under Count II.

The Prosecution has stated that the IMT found the annexation of the Sudetenland to be a criminal act, and referred to Ordinance No. 7, Art. X, which establishes that certain rulings of the IMT are binding. It is not my intention to criticise the judgment of the IMT. I merely take the liberty of referring to a point which is of significance for the question of joint-knowledge, in accordance with Art. X of the Control Council Law. In 1946 the IMT could pass sentence on a development which took place eight years previously. The IMT was able to draw its conclusions from events of the year 1939 and the following years. Material was at

OPENING STATEMENT KUGLER.

hand that permitted conclusions as to events in 1938. It had also material from this period at its disposal not available to contemporaries. If this Honorable Tribunal wants to decide about the guilt of persons who interfered in one form or another in the events of the year 1938, then the Tribunal can only take into consideration all that which was generally known at that time. The IMT in its verdict characterized the happenings in the Sudetenland as a part of the criminal plan of Hitler who looked upon the annexation of the Sudetenland as a step on his criminal path to world domination. By that the Tribunal did not say that the individual events of that time were of a criminal nature and were branded with the markings of a crime and therefore recognizable as such. How this contemporary event appeared to the person living in Germany at that time is of extreme importance for the findings of this Court.

I may, therefore, refer to the fact that the Sudeten-German question was not a phantom fabricated by Hitler to realize his plans. This problem has existed ever since the Czechoslovakian State was formed. This is not my private opinion nor is it an opinion voiced in the last two years. It is the view expressed on 21 September 1938 by Lord Runciman to the English Premier, Chamberlain. Lord Runciman had been sent by the English Government to Prague to study the situation. He says:

"The problem of political, social and economic relations between the Teuton and Slav races in the area which is now called Czechoslovakia is one which has existed for many centuries with periods of acute struggle and periods of comparative peace. It is no new problem, and in its present stage there are at the same time new factors and also old factors which would have to be considered in any detailed review."



OPENING STATEMENT KUGLER.

The Czechoslovakian State was founded following the War of 1914 - 18. Its territory was formerly part of the Austro-Hungarian Monarchy. This creation has been considered an unfortunate solution, not only by Germans, but by historians and politicians of all countries; because, among other things, in this state nearly half of the population were not Czechs, but were of a different nationality.

As for the Germans, the prevailing state of things was that the border regions were inhabited for the greater part by Germans. In the territory ceded in 1938 to Germany, lived in 1918, 24,000 Czechs; in 1938, their number was 250,000. The Germans numbered about 3 millions. It is a historical fact that these Germans, in 1919 wanted to join the German-Austrian Republic, but were prevented from doing so. That this state of affairs was untenable, that the Czechs were intolerant towards the national minorities, and that they attempted to make the whole state entirely Czech, was acknowledged by those competent to know before most of them, even had heard of Hitler. All this applied also to the Polish, Hungarian, and Slovak minorities. In connection with this, I mention the Slavic liberation movement under the leadership of Pater Hlinka, who fled to the USA and in Pittsburg, proclaimed among the local inhabitants of Slovak descent, the independence of the Slovaks.

It is here not my task to prove historical facts. As far as this is necessary in individual cases, I shall do so. I only ask permission to point out to this Honorable Tribunal that in the last two years after Germany's collapse millions of Germans were expelled from the Czech State, and caused much trouble especially to the occupation authorities of the American Zone of Germany on account of the density of population there. I believe I need no further proof for the correctness of the facts shown by me, than to call attention to this migration. It shows that actually millions of Germans lived in that country.

OPENING STATEMENT KUGLER.

It shows that it was only natural for them to seek refuge in a State in which they could speak their mother tongue, in which they could send their children to schools not suppressing, but teaching their mother tongue.

In this light, Your Honors, Germany saw this problem in the year 1938. Every German could see it that way. If there in a State Treaty with the Great Powers England and France - the Munich Pact - a solution of this burning question was found, a man as, for example, my client could not assume that Chamberlain and Daladier would sign a treaty the justification of which they, themselves, did not acknowledge. He could not assume that the conferences and investigations of the British envoy, Lord Runciman, were falsehood and deceit, and that perhaps knowingly he wished to harness himself to Hitler's war chariot to aid and abet his preparations for war and plans for world domination. The IMT claims Hitler had no intention to abide by the Munich Agreement. But Hitler, at that time, did not make it known to the public that such was his intent. Neither did the IMT say that this was known then. It is said now.

Surely, many a German may have termed the ways and means Hitler used to realize his plans regarding the Sudetens not as particularly nice. But he will not have suspected falsehood and deceit when he heard of the Munich Agreement. Neither could he assume falseness when he read in the papers that Chamberlain believed to have achieved "peace for our time".

When in the course of these events the German Reich, by virtue of an international treaty, had assumed sovereignty over the Sudeten country as part of the German Reich, a German Ministry deemed it necessary to appoint a trustee for the Sudeten-German plants of the Association for Chemical and Metallurgical Production in Prague. In this region, great unrest was known to prevail and there was danger for the plants at Aussig and Falkenau due to their separation from the head office at Prague. This trustee held the title of "Commissioner".



OPENING STATEMENT KUGLER.

This measure by the State was unreasonable for nobody living in Germany had any reason to doubt the legality of this measure, a state which was wont to encroach greatly on economic privileges. In this respect, the Defense will submit additional evidence in the course of this trial. The same goes for the fact that German nationals have offered their services for such an office, in accordance with the regulations of their country. This, my client had done.

I assert, furthermore, that my client conducted his trusteeship in a manner not counter to the interests of the owner. The Prosecution asserted certain facts purporting to disclose my client's incorrect conduct of business. The Prosecution's evidence on this has not yet been offered in full; therefore, I must decline to discuss this point further, at this time.

My arguments purport to show that things happened here which at that time - looked at from an historical point of view - did not look like an unjustified development, that they, furthermore, occurred in a form which cannot be considered as criminal in the meaning of the indictment. From that I conclude that, prima facie, none of the participants can be charged with knowledge of the criminal nature of the facts.

It only remains for me now to join issue, in passing on the statements General Taylor made on 27 August 1947. He argued that the IG completely ruined the economy of the occupied regions. I make the assertion and shall prove it that in the Sudeten country, after the annexation of this territory by the German Reich, the plants in Aussig and Falkenau in no way suffered with respect to their assets and production, that no dismantling took place in this territory, that on the contrary, prosperity ensued. I do not know if this remark of General Taylor also refers to the, at that time, not occupied part of Czecho-Slovakia. Regarding the latter, I am in a position to assert, and I shall adduce proof that through the aid of the IG the Verein fuer chemische und metallurgische Produktion was able to enlarge its field of

OPENING STATEMENT KUGLER.

activity.

This, Your Honors, concludes my arguments in the interest of my client.

- - - -

Murnberg, 18 January 1949.

CERTIFICATE OF TRANSLATION.

I, X 046 207, Fred L a x , hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Opening Statement Kugler, pages 7 - 12.

Fred L a x  
X 046 207

- End -



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Prof. Dr. Carl LAUTENSCHLAGER

English



Case 6  
Defense

Opening Statement

---

for

Prof. Dr. Carl LAUTENSCHLAGER

before the

Military Tribunal VI

Nürnberg

By: Dr. Hans Pribilla  
Attorney-at-Law

*berg*





OPENING STATEMENT LAUTENSCHLAGER

---

Dr. PRIBILLA

Mr. President, Your Honors,

When there is an outbreak of cholera in Egypt, then even layman can read in all the papers that cholera vaccines are being sent to Egypt by plane from Hoechst. The names of the "Hoechst-Farwerke" and the "Behring-erke" are referred to with respect by medical men throughout the world because they know that, for decades, men have been at work there, producing innumerable efficacious drugs for the benefit of the sick and the suffering. The chief manager of those plants, Professor Lautenschlaeger, is sitting on the defendants' bench. In contrast to the one-sided description by the Prosecution, the Defense proposes first of all to show the spirit in which Professor Lautenschlaeger lived, worked and taught there. It will show that the demands he made on himself and his assistants were so exacting, particularly with regard to professional ethics, as to make those unrelated sections of his total activity which have been laid before the Court appear in a different light. You will find that far from being conducive to clarity, which is so necessary here, the indictment of this man has created confusion among men of good will.

It will therefore be the first object of the Defense to clarify and elucidate the concepts introduced into the proceedings and to shed light on the alleged participation.

As for the Prosecution's attacks on Professor Lautenschlaeger's honor as a medical man, we shall first have to define the term "clinical test". Clinical tests were carried out in accordance with medical principles established over a number of decades. The medical man performs the test received from the manufacturer exact data on all essential qualities of the new remedy, its application, dosage and possible secondary effects, as well as information on the results of experiment on animals and on its effect and tolerance as determined by self-experiment.

OPENING STATEMENT LAUTENSCHLAEGER  
-----

The research laboratory is responsible for all those data. The testing physician is responsible for the further application of the drugs, the selection of patients, the modification of the dosage suggested, etc. He cannot detect anything wrong or any inhuman act in <sup>a</sup> systematic test of this nature. If the Prosecution chooses to single out a few of the approximately 50 remedies developed and released for testing purposes by the Hoechst laboratories between 1940 and 1945, the Defense will show that in the case of these remedies, as well as of others Professor Lautenschlaeger only proceeded in accordance with the highest ethical and medical principles. In addition, it will be explained that these remedies were placed at the disposal of Krugowsky's Office not because concentration camp inmates were available there, but because there was a danger of epidemics breaking out among the units under the jurisdiction of Krugowsky's Office, a danger calling for the use of these drugs.

Inasmuch the Prosecution seeks to depict the tests carried out by the "Behring-Werke" and the "Hoechst Werke" as a connected sequence, we must make it clear that they were in fact separate fields of work. Lautenschlaeger, who was in charge of the Marburg "Behring-Werke", merely issued general directives from his office at Hoechst. The leading officials of the Behring-Werke were recognized scientists, working independently, whose character was a guarantee that they would not deviate from the principles of medical ethics. This independence of the "Behring-Werke" explains why Professor Lautenschlaeger was not informed as to the details of the clinical tests, as, in keeping with Lautenschlaeger's directives, the "Behring-Werke" passed on the vaccines to be clinically tested independently from him. These preparations for testing purposes were not newly-discovered products.



OPENING STATEMENT LAUTENSCHLAGER  
-----

but well known and proven vaccines. There is not a single point in the evidence adduced by the Prosecution against the "Behring-Werke" which shows that these plants gained any knowledge of the improper application of these vaccines by criminal doctors in the process of supplying and testing the preparations. The Defense, in presenting its evidence, will confirm this statement by the testimony of witnesses and documents.

In the Hoechst plant, which was immediately subordinate to Lautenschlaeger, preparations for testing purposes were issued by one of his subordinates. The careful selection of that subordinate as well as his high professional qualifications were the especial concern of Professor Lautenschlaeger. The Defense will establish that in the cases put forward by the Prosecution, the preparations for testing purposes were issued in exactly the same manner as in all routine cases. The day came when, as a result of Dr. Ding's personal visit, Professor Lautenschlaeger became aware of the doubtful medical qualifications of this SS-Doctor as well as of his questionable character, though he did not realize that the man was a criminal. It will be proved that from that very moment Professor Lautenschlaeger issued the clear instruction that Ding was no longer to be employed as a clinical tester and that he was to be excluded from this work. It will be shown that this order was complied with.

In presenting its evidence, the Defense will also shed light on another point on which, so far, there seems to be some confusion. The inclusion of Krugowsky and his Office in the circle of the doctors enlisted for the clinical testing of preparations can in no way be construed as meaning that Dr. Ding was also included. Krugowsky was the Chief Hygienist of a branch of the Armed Forces and of other formations specially detailed to the epidemic areas in the East. There was therefore no reason for not supplying Krugowsky's Office with preparations.

OPENING STATEMENT LAUTENSCHLAGER

-----

quite apart from the fact that, as things stood in Germany, this would have been impossible. Therefore one cannot adduce later correspondence with Krugowsky, as the Prosecution does, as proving a continued collaboration with Dr. Ding.

As for Professor Lautenschlaeger's work as chief of the "Maingauwerke" (Main Valley Works Combine), this was confined to issuing appropriate directives for coordinating the general policy of these plants in questions of production and personnel management. To sum up, the position of Chief of Works Combine was such that he could not issue orders or instructions to the constituent plants. But that, by virtue of his position as Chief of the large Hoechst Plant, he exerted some influence on them. Besides, every plant had its Betriebsfuehrer (Plant Leader) who had considerable independence. He always decided independently and on his own responsibility all questions bearing on the treatment of employees. It was incumbent upon Lautenschlaeger, as Chief of the Main Valley Works Combine, to see to it that the individual plants kept to his directives, unless orders to the contrary had been issued by the authorities. The employees of the Hoechst Plant were his special concern. To help him in this field Lautenschlaeger had a personnel department, the function of which was to deal with the housing, feeding and wages of all employees, including foreign workers and prisoners-of-war.

Concerning the principle of employing foreign workers, this question had previously been decided by the government.



OPENING STATEMENT LAUTENSCHLAGER  
-----

Lautenschlaeger had no influence in this matter. Under the conditions prevailing in Germany, he employed foreign workers in the plants headed by him in exactly the same way as was done in every other German plant. In presenting its evidence, the Defense will confine itself to showing that especially in the case of plants under Lautenschlaeger, the social welfare, food, housing, medical care, employment and treatment of foreign workers had been most carefully laid down by the plant management in the workers' best interests and carried accordingly out by the plant management's representatives. In this connection may I be allowed to emphasize the unique fact that at the same time the Chief of this world-renowned Chemical Plant frequently used to spend his nights as a kind physician, personally administering expert medical aid to his foreign workers and seeing that everyone was well looked after in hospital. This man was of course no Nazi. His whole outlook was centered so exclusively upon healing and helping, that - as will be substantiated by numerous testimonies - he was incapable of ever making any discrimination on ground of race, religion or nationality. He owed his position exclusively to his professional qualifications as a scientist. The rulers of the Third Reich were always suspicious of such a man. His joining the Nazi-Party or his appointment as Military Economy Leader (Wehrwirtschaftsfuehrer), facts adduced by the Prosecution, do not make the slightest difference in this connection. Everything Lautenschlaeger did for his foreign workers and everything he did to maintain the peacetime level of the production of medicines had to be done in opposition to the Nazi-Party which watched him with suspicious eyes.

The Defense, in presenting its case-in-chief, will show that there is no evidence in support of, but everything against the thesis

OPENING STATEMENT LAUTENSCHLAGER  
-----

that this man was a party to the planning and preparation of a criminal war. The drafting of air raid protection plans, completion of production plans for the event of mobilization, as well as the subsequent delivery of preliminary products which, by further processing, might be utilized for war purposes, lies within the scope of national defense measures which all countries of the world take in the ordinary course of events. This did not in any way change the nature of the Hoechst Plants as enterprises predominantly engaged in the manufacture of medicines and other peacetime products.

The Defense will begin its case-in-chief with the examination of Professor Lautenschlaeger who will testify on his own behalf. The Defense will also submit numerous documents and call a few essential witnesses.

CERTIFICATE OF TRANSLATION  
-----

17 January 1949

I, Peter SIESEL, ETO No. 30254, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Opening Statement Lautenschlaeger, pages 1 to 6.

Peter SIESEL  
ETO No. 30254

"end"



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Wilhelm R. MANN

English



*Defense*  
*Case 6*

Opening Plus MANN

Opening  
Statement

for the defendant Wilhelm R. MANN

in Case VI of

The United States of America

versus

Carl KRAUCH et al.

made by:  
Dr. Erich BERNDT  
Attorney-at-Law and Notary  
Defense Counsel

*Eng.*





Opening Plea MANN

Opening Statement

MAY IT PLEASE THE COURT:

Any one coming to Leverkusen will perceive next to the main building of the IG administration another building that strikes you by its plain, clear and utilitarian structural features. It stands there bare of any adornment, with the world-renowned Bayer-Cross on its middle section. With the main administration building it is connected by a bridge. This building is the seat of the Bayer Sales Combine. In past years the father of the defendant MANN had been the manager of the Bayer Sales Combine; in 1931 my client succeeded his father in this position. Just as the building, so was the sales combine: plain, clear and utilitarian. From here the Bayer products were shipped all over Germany, all over Europe, and all over the world, also to the United States. Sales increased from year to year, and the successful work of many IG chemists vouched for the quality of the remedies which served to allay the sufferings of innumerable human beings, to cure diseases, and to save a great many human beings from illness and ailment. That was the task of my client MANN.

The Bayer building stands there by itself, connected with the main building of the IG administration by a bridge. Such was also the position of the Sales Combine within the huge Concern. It was independent but linked with the IG. This I shall present in detail because, without that, the defendant MANN's position and his actions and work cannot be understood and evaluated correctly.

Opening Plea MANN

(page 2 of original)

Now, this defendant is charged, first, with having, alone or together with his fellow-members of the Vorstand or with other persons, taken part in the preparation, planning and waging of aggressive war. This charge is brought against the very defendant whose life work had been devoted to the struggle against death and to the alleviation of human sufferings. This very defendant is said to be guilty of participation in the unleashing of a war and of sharing responsibility for the killing of millions of human beings. This charge is brought against the very man whose motto was: to heal wounds, not to cause wounds. This and nothing else was the ambition of his life, and in the course of my presentation of evidence you will come to realize that during the 25 years of his work for Bayer my client remained faithful to this motto and did not have anything in common with any of the crimes that are the subject of this indictment.

The legal doubts with regard to counts I and V of the Indictment are laid down in the motion presented on 17 December. I can therefore dispense with going into that matter. On the grounds set forth in that motion, the defendant has to be acquitted of counts I and V.

In spite of this, I am compelled to go into some specific charges brought against MANN under Count I.

On what grounds does the Prosecution try to show proof of the defendant's guilt?



Opening Plea MANN

He is alleged first of all to have supported the Party and its organisations with substantial donations. I am going to prove that the donations for the NSDAP and its organizations coming from the Sales Combine Pharmazeutika and from the defendant MANN have been very small indeed taking the average of the entire period from 1933 to 1945 or comparing them with the enormous sums spent by the Sales-Combine BAYER in aid of charitable and social institutions. It will become evident that these so-called political donations cannot be regarded by any manner of means as a support of the Party or of the Nazi regime, and that in no case whatever have payments been made in support of seditious propaganda or agitation abroad.

In General TAYLOR's words, the defendant is supposed to have participated in "setting going a violent and malicious propaganda-campaign which would have done credit even to GOEBBELS." What is the truth of the matter?

It is only natural that the IG had an excellent economic intelligence service and it is equally natural that they went in for extensive economic propaganda. Particularly BAYER, whose pharmaceuticals were bought all over the world, was very active in the field of commercial propaganda. From 1934 onwards, and more so since 1937, the export sales became rather difficult on account of boycotting measures against German goods. BAYER therefore were forced further to increase the advertising of their products and, pointing to certain scientific achievements,

Opening Plea MANN

emphasized the German character of those products. This was in no way a case of damage to a Nazi regime or a political system but merely a matter of advertising IG products, which happened to be of German origin. Viewed in the right light, the evidence offered by the defense must be regarded from an angle differing from that of the Prosecution. Moreover, I propose to prove from documents and witness' examinations that in no way has any Nazi-propaganda been made in foreign countries. It is interesting to note in this respect that the Prosecution establishes as a very serious incrimination the fact that a BAYER agency let the Brazilian broadcasting service have, on the latter's express wish, some material for anti-Communist propaganda. It will suffice to underline this without adding another word.

The Prosecution's assertion that the BAYER organization had made political propaganda abroad by granting special contributions or by sending out Nazi-propaganda-material, is not correct. I propose to prove that although the Ministry of Propaganda and the propaganda department of the Gauleitung demanded this of BAYER, the defendant MANN and his associates managed to reject by far the greater part of these demands.

The Prosecution's assertion in the opening statement that "BAYER" had studiously adapted their sales- and advertising-program to National-Socialistic ideas"



Opening Plea MANN

has not been proved by evidence produced by the Prosecution. On the contrary, I shall prove that the instructions from the Ministry of Propaganda were not heeded at all and that the position my client held as a member of the Propaganda-Council for German Economics gave him the opportunity to oppose these demands rigorously and effectively.

I shall absolutely refute the accusation with regard to the dismissal of Jewish employees in connection with the NS-Organization of Germans Living Abroad. I am going to prove that all - nearly 50 - of the Jewish employees of the Sales Organization BAYER who had to be dismissed upon special official instructions, received, without exception, compensation far in excess of all legal regulations, in several instances up to three years' salary. Nobody has ever been ruthlessly kicked out into the street by my client or his fellow-men, and nobody has ever been denied aid. None of BAYER's "none-Arian" employees has been ill-treated and none of them has perished.

Furthermore it is being asserted that the BAYER agencies had been involved in espionage. Not in a single instance has it been proved that BAYER participated in any kind of espionage. The accusation raised against some BAYER - employees in South America I can also refute without difficulty. I shall prove emphatically that BAYER never engaged in, or tolerated, espionage in any way.

## Opening Plea MANN

My client is charged with having boosted exports as a contribution towards the economic strengthening of Germany after 1933, thereby having deliberately created a fund of foreign exchange for armament purposes. As can easily be proved, the defendant never drafted, or participated in, an export scheme for the government. Stress must be laid on the fact that the foreign turnover of the I.G. rose to 428 millions in 1939 from 406 millions in 1933, i.e. increased by 5%. The idea of contributing towards a war of aggression, secretly prepared by the men then in power, by exports and by getting up a fund of foreign exchange could not and did not occur to him any more than to other German industrialists. The quoted export figures prove clearly that, rather than with a boosting of exports, they were concerned with the defense of commercial footholds gained abroad in long years of toil. It is true that later on, in 1940, that is, after the outbreak of War, my client backed a specially laid BAYER export scheme. This scheme, however, as I shall prove, aimed solely at achieving a conservation during the War of the BAYER business with its far-flung ramifications in many parts of the world.

With Mob(ilization) plans, such as the Prosecution regards as preparatory to the war of aggression, the BAYER sales combine had nothing to do. However, it had to draw up preparatory surveys intended to show the commercial staff requirements in case of war.



### Opening Plea M'NN

These measures fitted perfectly into the framework of technical and organisational measures in case of mobilization, applicable also for the mob plans proper.

The Prosecution furthermore raised the charge that the BAYER sales combine withheld from the US certain compounds, such as Atebrine and the Sulfonamides in order to weaken deliberately its war potential. The Prosecution, however, did not produce any evidence to substantiate this allegation nor is it likely that it could do so. I shall prove that the I.G. Farben strictly and scrupulously fulfilled its contractual obligations towards the US partner also in regard to the Sulfonamides and Atebrine. While credit is due to Professor HOERLEIN for having enabled the US partner, by timely transmission of the processes and the most essential elements, to take all steps for the production of Atebrine independent of the I.G. Farben, my client, on top of it, successfully endeavoured to ensure completion of this in behalf of the American partner as late as 1 1/2 years after the outbreak of the war in Europe. In so doing he had to use considerable circumspection in front of the German authorities. The fact is that the thorough knowledge of the production process of Atebrine enabled the US to develop production of Atebrine on a giant scale and thus to fight malaria in the Far East. According to American publications this successful fight against malaria is to be regarded as a most valuable contribution towards

Opening Plan LANN

the victory over Japan.

No more comments need be made on count I.

Under count II, my client is charged with being a party to the looting of Russia and France.

As regards Russia he is said to have participated in the preparations for the looting of Russia as chairman of the Russia Committee and the commercial East Committee respectively. There never existed such a thing as a Russia Committee. The tasks and the activities of the commercial East Committee were completely misinterpreted by the Prosecution, as I shall prove. At first, this East Committee was nothing more than a certain directorate for information which was collected there in connection with the economic situation in Russia. The document of Herr de HAAS, sent to the Vorstand at the order of my client, to which the Prosecution mainly refers in support of its charge, was a situation report of that type, based in the main on information by the authorities, in particular by the Reich Ministry for the Eastern territories. The East Committee did not take part in the setting up of any Eastern companies. It only advocated the foundation of the "Riga-Kontor" sales combine which sold German manufactured products in the Eastern territories, particularly in the Baltic countries. This company did not remove any merchandise, machines or other articles from the Eastern areas. Nothing whatever has been taken from Russia through LANN's activities. On the contrary it was owing to him that Russia



Opening Plea MANN

received badly needed pharmaceutical supplies and other IG products. All that I shall substantiate by producing documents or depositions of witnesses.

Furthermore, it is alleged that my client participated in the looting of France, to be accurate, in the case of Rhone-Poulenc. For this transaction MANN assumes responsibility. I shall prove that from the agreements made by my client with Rhone-Poulenc considerable advantages accrued to the latter. In my argumentation I shall prove that the negotiations which were conducted resulted in arrangements for a term of 50 years based on strict reciprocity. On the part of the IG, concessions of the utmost importance were made to the French partner, such as they were made only in one case in the previous history of the BAYER corporation - that is, in the case of BINTHROP in US. So far from gaining control of the French pharmaceutical industry, as the Prosecution alleges, the IG through the negotiations conducted by my client, placed the pharmaceutical business in France, previously transacted by the IG, under the control of a French-operated company through the Theraplix agreement. The IG Farben waived their right to continue their business in France which they had operated successfully for decades in favour of the firm of Rhone-Poulenc, and at a time, too, when such a relinquishment could be effected only with the utmost difficulty under the existing Nazi rule.

(Page 10 of Original)

I shall prove, that the sovereignty of these French firms was not limited. My client can look back on a policy of understanding, carried on for years, between the firms of Rhone-Poulenc and IG, both of them the leading pharmaceutical firms of their respective countries. He took advantage of every opportunity which offered itself in the past to eliminate as a sincere friend of France, the political obstacles through far reaching, economic agreements. In this spirit my client approached the French partner with his plans at a time when he (the partner) faced an entirely new position, caused by events, over which my client had no control.

It will be my task to present to the court the actual events and to point out the results of these agreements which were exceptionally favorable to the French partner. Then Your Honor will realize that the intentions of my client, as far as these and other business-transactions are concerned, were not of the sort as one might gather from the indictment and particularly from the speech of the prosecutor, while introducing his exhibits. The writ of the French court, introduced by the Prosecution, concerning the nullification of the contracts signed with Rhone-Poulenc is not to be taken as a precedent. We do not know the legal provisions and the circumstances in their detail according to which the French decision was made. None of the Defendants were present at the French trial,



(Page 11 of original)

none of them got a legal hearing or could produce evidence to the contrary.

The fundamental change of the situation may now be a reason, to view the contracts under discussion here, from a different angle. This, however, cannot be the opinion of those men, who took the responsibility for agreements despite the reserve which they should have shown in face of their country's situation at that time; agreements, which proved of great advantage to their undertaking and also to the French economy. It was not the attitude of political collaborators; Not "collaboration", but "cooperation" was the password for an understanding on an objective, rational basis, which was the economic political background for those arrangements. My client claims to have carried out in a fair and correct manner what was expected of him, just as he on his part was always conscious of the political integrity of his partners.

As leader of a sales combine, my client had nothing to do with matters of production. He therefore never came into contact with the special problems arising in this field nor with those problems which arise in war time, for instance the procurement of labor.

The most monstrous accusation against my client is that he is supposed to have participated in the massmurder on the greatest scale ever known in the history of mankind. As chairman of the administrative committee of the DEGESCH he is supposed to have known of the extermination of millions of people with Zyklon B, and to have done nothing to prevent it. This accusation, directed also against some of the

(Page 12 of original)

other defendants, has been made at the end of the entire hearing of evidence. This accusation and the manner in which it was presented gives me the impression as if after the fireworks an additional rocket has been set off; it lights up quickly, fades after a short time - but nothing remains. The accusation will collapse in the same manner when I produce my evidence. This accusation has been made before the whole world against my client in this court. I must insist that I can prove before the public that this accusation has no foundation, I repeat, no foundation whatsoever. I have to submit therefore, that my witnesses in this case be heard in court and not by a Commissioner. I believe this to be only fair and just.

I shall disprove this last and severest accusation made against my client, as well as the others - I am convinced of that. As General TAYLOR mentioned in his opening statement no act of revenge must be committed here, but the actions of the defendants must be judged according to laws and commandments. According to laws the defendant KAHN has not done anything criminal, according to commandments he has done no wrong.



Opening Plea MANN

-----  
CERTIFICATE OF TRANSLATION  
-----

16 December 1947

We hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Opening Plea MANN.

Rosl GZIRBU, Civ. No. 45 672, (pages 11-12)

. . . . .

Paul E. GROPP, Civ. No. B - 397 975, (Cover; pages 1-2)

. . . . .

Hans NICHTENHAUSER, Civ. No. 20 113, (pages 3-5)

. . . . .

Alfred OBERLAENDER, Civ. No. 20 192, (pages 6-9)

. . . . .

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Fritz ter MEER

English





Case 6  
Defense

OPENING - STATEMENT

for the

Defendant Dr. Fritz ter Meer

in case VI,

THE UNITED STATES OF AMERICA

- vs. -

CARL KRAUCH et al.



submitted by  
Dr. Erich BEHNKE  
Attorney-at-Law and Notary  
Defense Counsel.

Dr. Fritz ter Meer

OPENING \* STATEMENT

Mr. President!

Your Honors!

In his introductory speech General Taylor lodged the most serious charges against the defendants. He accused them of responsibility "for the most devastating and catastrophic war in human history, of wholesale plunder and spoliation, of mass enslavement and mass murders." These are the gravest charges which in any period of history were ever leveled against industrialists, as members of a vanquished nation, against economists and scientists who did not hold offices as Ministers or Party leaders responsible for policies of state. What abysmal depravity is imputed to these individuals by the Prosecution, the same men, who, until the outbreak of the war, collaborated on a basis of friendship with the industrialists and businessmen of America and the rest of the world in a spirit of sincere mutual confidence for their common profit and prosperity? Is it really intended to make this Court and the world believe that all of this was merely a farce, and that these industrialists had secretly plotted raids, lootings, enslavement and wholesale murder, and that they were capable of such fiendishness?

Through industrious labor, the Prosecution has endeavored for more than two years to formulate a theory by which it hoped, candidly speaking,



to build the steps to the gallows for the defendants.

The Prosecution has tried to prove with a wealth of documents culled from mountains of Farben files, most of which were torn from their natural business contexts, linked together by an apparent systematic design and mixed with excerpts from Hitler's "Mein Kampf" - this much circulated but little read book - basing the guilt on the theory of the alleged common knowledge - thus has the Prosecution tried to prove that these defendants were guilty, for instance, of Hitler's crimes, of wars of aggression, indeed even of the gassings in Auschwitz.

The gravity of the terrible accusations with which the defendants are charged imposes on the defense the duty to set forth the true connections and facts with the greatest accuracy and most painstaking care, in order to help the Court to find the truth and to reach a just verdict. The fulfillment of this duty requires considerable time, which must absolutely be conceded to the defense.

Your Honors! In this place stood with your permission as first defendant Dr. Fritz ter Meer in order to cross-examine an expert. You will surely have gained the impression that he is a man who knows his business, indeed masters it to such a degree that he was completely absorbed by his work and cared for nothing else - least of all, as I shall prove - about politics. You have already read several of his important affidavits, for instance the one about the structure and development of IG-Farben. (Document NI-5187, Exhibit 334, Volume XII, English page 126, German page 107).

Dr. ter Meer expressed himself in these affidavits about many important happenings. Even though he might have erred in one or the other small detail - being in custody, he had to write without files about events which took place years ago - under no circumstances will it be possible to prove that he deliberately made an untrue statement. It is not necessary for him to give false testimony. Even if hard-pressed, he will not resort to lies. His is not the character to do this. What he did was not wrong - and still less a crime. My client, therefore, stands up for everything he has done. Since he is a good witness, I can use him to a large extent for my proof.

The Prosecution accuses Dr. ter Meer under counts I, II, III and V.

Concerning Count V, the charge of participating in a conspiracy to commit war crimes and crimes against humanity, I refer to the motion submitted yesterday.

Count I, I consider the charge of the Prosecution, even on legal grounds, to be insufficient and, therefore, I submitted yesterday the motion resulting from these circumstances for a pronouncement of Not Guilty, which I repeat now.

Nevertheless, I wish to make clear, as a precaution, the following:

My client decidedly denies having known anything at all about Hitler's and his close confidants' war plans, as set forth in the IMT-Judgment. With the greatest emphasis he rejects the assumption that he participated in, approved of, and knowingly supported these plans. His collaboration in the development and growth of Farben, especially in the field of synthetic rubber,



helped to increase the economic power, and hence necessarily also the military potential. However, this in itself is not subject to punishment according to the findings of the IMT-Judgment. I shall offer proof that Dr. ter Meer, be it as head of TEA, of Sparte II, or at any other stage of his business career, was at all times guided in his activities by considerations of a purely economic character only. Pleasure not in destroying but in creating was always the mainspring of his actions.

My client was not free to choose when making his technical and economic plans. In this connection it appears necessary to briefly mention one general question, the one concerning the relations between the state and economy as it developed in Germany until the end of the war. The Prosecution tried to picture the situation as if Farben, acting through its Vorstand members who now stand accused here, had made common cause with Hitler as his co-equal and co-powerful partner. This assumption rests on a complete misconception of the true conditions which prevailed in Germany. I, therefore, deem it incumbent on the defense to explain that in Germany the state played the predominant part in its relations with industry and that it increased its influence from year to year. I shall prove that this influence increased in the period following Hitler's accession to power in 1933 to such an extent that one soon could not even describe it any more as a guided, but merely as a dictated economy.

In view of Hitler's cunningly contrived dictatorial system, industry could not escape this steadily growing tutelage by the state and its organs, to which in addition was combined that of the NSDAP and all of its agencies. That was impossible even for a corporation the size and importance of IG-Farben. Although reluctantly, it was reduced step by step from the position of an independent company to a condition of working merely upon government directives. By orders and ordinances the state intervened increasingly in the plants and regulated - as will be shown by the evidence - numerous details in the fields of production and employment.

The Prosecution left all of this out of consideration. It tried to convey the picture as if Farben itself had inspired or desired the measures concerned which preponderantly were taken to realize a common plan for the preparation and waging of aggressive wars.

In this connection the Prosecution amongst other matters refers to Liaison Office (Vermittlungsstelle) W in Berlin. I shall offer evidence that this agency was not of such far-reaching importance as is assumed by the Prosecution, and that it had absolutely nothing to do with the planning of a war of aggression. At a time when the authorities exercised increasing influence on German private industry, it was absolutely necessary for a Konzern of the size of Farben to establish a Vermittlungsstelle in order to keep up current contacts with the various official



agencies to keep the numerous works and offices informed and to promote uniform conduct within the Konzern with relation to measures ordered by the authorities. This concerned, amongst others, the provisions regarding air raid protection/ <sup>secrecy,</sup> and the establishment of the so-called Mob-Plans.

My client is pictured in the indictment as having deliberately prepared for a war of aggression by having carried out the synthesis of rubber. I shall prove that this is entirely erroneous. Merely because a Hitler held the reins in Germany should Farben have looked into a safe its research work about the synthesis of rubber, commenced in 1906, and recognized by the entire scientific world? All measures taken by Farben in connection with the realization of the Buna synthesis prove its careful, economic and technical preparation and a reasonable procedure which was motivated by private-economic considerations, which finally led in 1936 and 1938 to the construction of the large plants in Schkopau and Huls. These were not hastily constructed factories for an expected war, nor emergency shops for the military authorities - they were model plants of the German chemical industry, which, according to Farben's and my client's intentions, were to offer to thousands of employees and workers a secure and happy future under normal, peaceful conditions.

The Prosecution now makes the assertion that Farben, in agreement with the Nazi government, deprived the United States of just this technique of manufacturing Buna, by not informing its American contractors

partner, the Standard Oil Company, of the so-called "know-how" in order to weaken the American war potential. I shall prove that this assertion does not coincide with the facts.

Since the situation was entirely different in the United States, because there was no lack of foreign exchange which permitted the purchase of good and cheap natural rubber according to demand, the application of the complicated German Buna process, based on carbide as raw material, had from the beginning little prospects of success. Nevertheless, measures were taken in this matter in the United States, which, however, were without practical results. Consequently, Farben developed, since about 1937, a specific process for the United States, which was based on natural oil as raw material. In the latter part of 1938 my client offered this process, which in the meantime had become reasonably perfected for manufacturing purposes, to the Standard Oil Company, and in complete agreement with it, worked out a plan to materialize this process in a major plant. In addition it was demonstrated to the technical engineers of Standard Oil at the experimental plant in Oppau. Calculations made jointly with Standard Oil showed an American cost price which approached that of natural rubber. One of Farben's top experts informed the American tire industry in 1939 of all details concerning the production of tires produced with Buna. Then war broke out and wiped out the development which was so close to be realized. These are the facts which I shall prove.



In the course of the presentation of the proof by the defense it will be shown that the entire peace production potential of Farben was not created with a war of aggression in mind, but was based on considerations of a peacetime economy.

The shadow plants which had been built for war emergencies were of infinitesimally small proportions in comparison with the rest of Farben plants, and were, without exception, erected upon government orders. Not Farben, but the Reich owned and financed them. Proof for this, too, will be adduced.

Your Honors, All economic and technical achievements of any industry serve the progress of nations and are to improve the people's standard of living in every country. That such achievements should at the same time strengthen the war potential is an unavoidable consequence of the effects of modern war, which is fought with a totalitarian concentration of all technical resources. An example may illustrate this point:

When Nylon was perfected after ten years of work by the well-known American firm of Dupont, the underlying motive was surely a peaceful one, in this case the task to provide women with better and more durable silk stockings. Well, - Nylon was used during the war as parachute silk by American and English fliers. Nobody will, on that account, accuse Dupont of having prepared a war of aggression.

Concerning Count II, it appears to me that the legal opinions set forth by the Prosecution are not suitable for justifying the charge of criminal conduct by my client. I shall argue this aspect in my final pleadings. Today I want to point out only one idea, the concept of a total European economic area, - which formerly gained weight in many leading economic circles of Europe, - an idea which even today, though in a somewhat different form, is proposed by many political, economic experts, including some in America. These viewpoints shaped my client's aims to maintain, operate and improve, as far as possible, these foreign enterprises, in the general interest of the national economy as well as for the welfare of the employees and laborers.

My client took part in the negotiations leading to the founding of Francolor. The defense will prove that the founding of Francolor was based on sound economic considerations. It was intended to promote mutually satisfactory cooperation in the fields of dye-stuffs and organic products, and to eliminate frictions which had persisted for decades. Farben put at the disposal of the above-mentioned spheres of work its full treasure of technical experience. It paid for the transfer of French participation rights, amounts equal to the value of the plants and rights taken over.



I now finally turn to Count III, concerning slave labor. In this count the Prosecution made the most morally serious charges. As far as these accusations are directed against any of these defendants, they bear the wrong address. The defendants cannot be charged as criminals because foreign workers and also concentration camp prisoners were employed against their will in Farben works. The defense shall offer evidence that in these instances Farben merely executed binding orders issued by competent authorities concerning the allocation and employment of foreign workers, prisoners of war, and concentration camp inmates, in the same manner as all of German industry was compelled to do. Any resistance to these orders was entirely impossible. It would have been nipped in the bud immediately and punished by the most drastic measures as sabotage of production ordered by the state without any prospects whatever of changing the labor conditions of these workers. The defense will show this.

What Dr. ter Meer knew about the employment of foreign workers drafted for labor service and of the utilization of concentration camp inmates he shall tell you himself on the witness stand. He decidedly refutes the charge that he knew anything at all about ill-treatments.

Your Honors, you have come from America to pronounce a verdict in Europe. You are citizens of the United States of North America and you are to pronounce sentence upon these Germans. Yours is the duty to sit in judgment about events which took place in Germany and Europe. This task of yours is difficult. These events occurred during a period which not even we Germans are in a position to explain or comprehend.

We of the Defense will help you as much as we can in this difficult task. We bear the title, "Rechtsanwalt", Attorney-at-Law, which means that we are defenders of justice. We shall do our part, with all of our might to insure that in this trial, one of the greatest in world history and surely the greatest in the annals of economics, there will be only one victor, - Justice.

-----

I, A. Ehrmann, ETO 20116, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct copy from the official transcript of the Opening Statement for the defendant Dr. Fritz ter Meer.

Muernberg, 13 January 1949.

A. Ehrmann  
ETO 20 116.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Heinrich OSTER

English



Case 6  
Defense

Opening Statement  
by  
Attorney - at - law Helmuth Henze  
before the  
American Military Tribunal VI  
Nurnberg  
as Counsel for the Defense  
of  
Dr. Heinrich OSTER.

Teng





Your Honors,

As Counsel for the Defendant Dr. Heinrich Oster, it will be my task to deal also with his personal activities during the last 15 years, as the charges are also directed against him as an individual. They are also extended against him as a member of the I.G.'s Vorstand and seek to place upon him responsibility for the entire business activities of the I.G. I have to deal with this, as well as with the further charge that, together with the other defendants, he entered into a common plan to commit the crimes against peace as set forth in the Indictment. I will not at this stage go into the question whether the conception of conspiracy permits of so wide an interpretation as the Prosecution desires. I confine myself to-day to refer to the statements made by the Defense in the morning session of 29 October of this year.

After a study of the extensive Indictment and of the mass of evidence comprising nearly 1400 documents, I have gained the impression that the Prosecution deliberately do not wish to have the scope of responsibility of the individual defendant clarified, in order that it should not be shown how small their part in the activity of the I.G. really was. I shall therefore endeavor to bring some light and clarity into this deliberate darkness, since, according to recognized principles of criminal law, as also expressed by the IMT, the individual defendant can be made responsible only for those acts actually committed by himself or for those in which he consciously took part. This was upheld by the Military Tribunal II in the proceedings against POHL and others. It unequivocally adopted this standpoint in its judgment.

So as not to stray from the subject, I shall refer during the submission of my evidence to the Prosecution documents only in as far as they affect my client in a sensible way.

If I may now turn to Count I of the Indictment and deal with what my client has done or is supposed to have done in connection with this, I find on looking through the documentary material very few documents which show any independent actions of my client or of his subordinates. Compared to the whole material of the Prosecution those few business incidents are so insignificant that one is obliged to come to the conclusion that they are not in any way causal to the events of the last 15 years as set forth by the Prosecution, viz. the planning, preparation and waging of aggressive war. Otherwise, it would so extend the conception of causality as to contradict every recognized theory of causality. As far as occurrences which can be connected with the war at all are concerned, they do not necessarily imply a connection with a war of aggression. In the few cases in which they can be connected with a war, the decisive question is whether my client worked on these alleged business tasks for reasons which were connected with the war or for other reasons. This then is a question dealing with my client's personal attitude, to which I shall revert later.

With reference to the responsibility of my client, as a member of the I.G.'s Vorstand, for the activity of this firm, I should like to preface my remarks with some actual facts.

From 1930 onward, my client was in his principal capacity, a business manager of the Stickstoff-Syndikat G.m.b.H., an independent firm which was charged with the sale of the nitrogen produced by all the German nitrogen manufacturers. The Syndikat was a company not connected with the I.G., and Dr. OSTER was one of the business managers of this undertaking and was responsible for the sale of the nitrogen fertilizers. The sale of the nitrogen for industrial use was not handled by him but by another one of the business managers who was on the same administrative level as he was. This makes it clear that his field of work had nothing to do with the rearmament which the IMT did not declare criminal as such.



Opening Statement OSTER

On the contrary, he must have been opposed to the use of nitrogen for industrial purposes, as, in the nature of things, he would be much more interested in diverting as much nitrogen as possible to agriculture, since this was his business.

90% of my client's time was occupied with his business in the Stickstoff-Syndikat, of which he also was the Betriebsfuehrer. The Stickstoff-Syndikat employed about 1000 persons and had a turnover of 540 million Reichsmark. I wish to compare this with the fact that, for his duties in the I.G., my client as a member of the Vorstand, had only the Badammon Department belonging to the I.G. with a staff of 6 persons, at his disposal.

The fact that Dr. OSTER, who was appointed business manager of the Syndikat by the I.G. also belonged to the Vorstand of the I.G. was because in the years before 1938 the nitrogen business was of much greater importance for Farben than in the past decade, as has also been emphasized by the Prosecution. The development of the nitrogen industry in Germany and in the rest of the world, and the development in prices and profits bound up with it, resulted in nitrogen losing considerably in importance compared to the powerful new development in the province of coal hydrogenation, acetylene chemistry and many other fields of chemical industry. Whereas in 1928 the sale of nitrogen still made up over a third of the I.G.'s total turnover the picture changed so much within 10 years that the nitrogen turnover then was only about half of its former volume, i.e. about 15% of the I.G.'s turnover.

I may add that while the nitrogen production of all the nitrogen producers in Germany increased by about 25% from 1929 to 1939, Farben's share in this went down all the time. I mention this in order to make it quite clear that my client's sphere of work was - from the I.G.'s point of view - a side line of small significance, so that his main attention was directed more and more to the Stickstoff Syndikat.

It is neither my intention, nor the desire of my client to minimise his importance and responsibility. I merely wish to make it clear that Dr. OSTER worked mainly in a field lying outside the limits drawn by the Indictment. This point is further illustrated by the fact that, when he retired in 1944, it was not intended to appoint his successor in the Syndikat a member in the I.G.'s Vorstand. During the presentation of my evidence I shall bring proof for the facts which I have only indicated here.

As Dr. OSTER's position was a commercial one, it was a matter of course that he became a member of the Commercial Committee. I shall bring proof that the importance which this Committee had fell far short of that ascribed to it by the Prosecution and that my client's role in this Committee also was a minor one, since he did not have the support of the I.G.'s commercial organization which the other directors of the other sales combines had and, moreover, he had no authority to apply the suggestions and decisions taken there to the differently constituted organization of the Stickstoff-Syndikat. The Syndikat was moreover not committed to any regulations initiated by the I.G.

Having briefly outlined the facts which will make my client's position clear, I now wish to deal with the conclusions which I draw from them. It is evident from the immense scope of the I.G.'s activities and the merely subsidiary sphere of my client's activities that many things in the I.G.'s activity must have been unknown to him. I mentioned this to support my assertion that in an Aktiengesellschaft of such an extent, it is impossible to make the individual members of the Vorstand responsible for the entire activities of the firm. The I.G. cannot in this connection be considered to be on the same level as the average Aktiengesellschaft; it must be realized that the I.G. remained even after its amalgamation with several other firms a decentralized firm in which each one of its members could serve



only his own and related spheres. This applies particularly to Dr. OSTER, who did not manage an I.G. Department, but an independent firm in which the I.G. participated. If every individual Vorstand member of such an undertaking is to be charged with the duty of checking the entire activity of the company, the Vorstand would consist of persons who know a little about many things, but nothing entirely.

The responsibility incumbent upon a member of the Vorstand is moreover one of corporation law, i.e., of civil law, and has nothing to do with responsibility under criminal law, which can only be a personal one. If the Prosecution wishes to establish a corporate responsibility of all the members of the Vorstand, this would imply an attempt to characterize the Vorstand of the I.G. as a criminal organization within the meaning of the Charter. The Prosecution has purposely refrained from doing this, because it would have implied a reference to the Judgment of the IMT, which in such cases also requires proof of personal guilt. To go further into this point would merely be repeating what has already been said by my colleagues. If the Prosecution wished to establish the responsibility of all Vorstand members, then it would have had to prove that each one of them had knowledge of all the business matters, which proof they did not bring.

The actual circumstances as described by me also show that, according to <sup>the</sup> nature of things, there can be no question of a common plan for the planning, preparation and waging of wars of aggression. So far as I have been able to see up to the present, the Prosecution has submitted no proof whatever of the existence of any thing connected with Dr. OSTER which permits of the conclusion that there existed a common plan to commit the alleged crimes. The fact that several persons in a firm have worked in a leading position and that this firm has developed a business activity which could to some extent be of importance in a war does not prove that all those participating in its efforts purposely and in unanimous agreement aimed at a war, let alone a war of aggression.

In addition to that, it appears to me that the Prosecution rather simplified matters for themselves when they branded all members of the I.G.'s Vorstand as accomplices in a common plan or conspiracy. Usually, the aims of the Vorstand of an economic enterprise are different from those of participants in a common plan to prepare a war of aggression. It seems unbelievable that all Vorstand members should at the same time be members of a conspiracy, the objectives of which are of a different nature than those of an economic enterprise. I should ask you to take into consideration that an appointment for the management of a company presupposes a certain amount of knowledge, certain achievements and experiences for that person, and that the selection was made from those points of view. That all these people should have come together simultaneously to carry out jointly a plan of a different nature is so unnatural that it would have required direct proof, and this was not offered.

I wish to point out that it was possible to keep I.G.'s Vorstand free from any representatives of the Third Reich. Why was that the case if all Vorstand members were agreed on working for a war of aggression? In that case it would have been sensible to have a representative of the Nazi system among their own ranks as a contact man.

If I may now be permitted to say something about my client's personal responsibility for his own field of work, it is the following: I shall prove to the Court that in the business policy for which he was responsible, my client was guided by his desire for an understanding. He acted accordingly in his dealings with the partners of the Stickstoff Syndikat and this spirit also prevailed in the negotiations with the foreign partners with whom agreement existed in the nitrogen sphere for 10 years before the beginning of the war. Even after the outbreak of the war, Dr. OSTER let himself be guided by those points of view, and after the occupation of various countries by the German armies he soon established contact with the partners there, in order to resume relations as they were



before the war. It was his desire to cooperate in the field of nitrogen on a plan which was to facilitate reconstruction after the end of the war at the point where the ties of understanding had been cut off in 1939. This attitude will be shown by the evidence I shall present. It will prove that my client's attitude was in direct opposition to the facts alleged by the Prosecution and that he had no knowledge of activities aiming at a war of aggression.

The Prosecution did not offer any direct evidence of my client's guilt. Apart from the facts just mentioned, I wish to refer in this connection to the verdict of the IMT which acquitted several persons charged with planning, preparing, and conducting a war of aggression, who were members of the government of the German Reich, and were therefore, in considerably closer contact with the very agency representing the formation of the political will of the Reich, than my client Dr. OSTER. It cannot be assumed that Dr. OSTER had any better knowledge than those persons.

With respect to Count II of the Indictment, the Prosecution mentions my client in the documents produced only in connection with the Stickstoff OST G.m.b.H. which was formed after the beginning of the war against Russia. I shall be able to furnish evidence that this company which was established on the suggestion of the Reich did not take any measures that

could by any stretch of imagination be considered as plunder or spoliation.

Furthermore, the indictment says that in 1940 my client became a member of the Styre (management) of the Norsk Hydro A/S at Oslo, the largest chemical enterprise in Norway. The Prosecution associates this appointment with the formation of the Norwegian firm Nordisk Lettmetall A/S., an establishment in the field of light metals which was founded in cooperation with the Norsk Hydro, and sees in this fact a participation in plunder and spoliation. To what extent there was any question of plunder and spoliation there will be shown by my colleagues, who will supply counter-evidence. I am merely asserting, and shall supply

proof of this, that the appointment of my client as a member of the Styre (management) of this company, with which he had already been working in a friendly spirit for years, was not prompted by those alleged reasons.

As regards Count III of the indictment I beg to observe that Dr. OSTER as a business-man and manager of a commercial enterprise, had nothing whatsoever to do with questions of Labor allocation. There were no factories under him. It was no business of Dr. OSTER's to deal with the procurement of manpower required for the fulfillment of the production orders imposed by the government of the Reich. Neither had he to deal with the foreign labor program. Since this was in the hands of and controlled by the State he was doubly removed from it. Therefore, I need not produce evidence supported by actual events

Count IV of the indictment does not apply to Dr. OSTER; Count V has already been discussed by me, so that I may conclude my statements.



CERTIFICATE OF TRANSLATION

18 January 1949.

I, Peter Siesel, ETO No. 30254, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Opening Statement OSTER, p. 1 - 8.

Peter SIESEL  
ETO No. 30254

"end"

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Hermann SCHMITZ

English





Case 6  
Defense

OPENING STATEMENT  
-----

for  
HERMANN SCHMITZ  
before  
American Military Tribunal VI  
Case VI  
in the trial of  
KRAUCH et al

by  
Dr. Rudolf Dix  
Attorney at Law  
-----

Nuernberg, December 1947

Stamp:  
Military Tribunal  
Nuernberg



OPENING STATEMENT KRAUCH

Your Honors:

So-called Trials of War Criminals have taken place before — after the First World War, before the German Supreme Court. An English lawyer by the name of Claud Mullius attended these trials as an observer. In 1921, he wrote a treatise on them, entitled: "The Leipzig Trials". I quote from this treatise:

"The War Criminals' Trials were demanded by an angry public rather than by statesmen or the fighting services. Had the public opinion of 1919 had its way, the trials might have presented a grim spectacle of which future generations would be ashamed. But, thanks to the statesmen and the lawyers, a public yearning for revenge was converted into a real demonstration of the majesty of right and the power of law."

Today, the danger of passion and prejudice trying to dim the eye of the judge in its search for truth and justice, is greater still. Too horrible things have been done! Too much has human dignity been insulted. The natural and justifiable outcry of human dignity insulted, however, is joined by its ugly companions, such as the calumniator who tries to stir up the troubled waters of passion; the man politically, criminally or morally incriminated who tries to shift his guilt on to the shoulders of others and is on the look-out for scapegoats:



# OPENING STATEMENT KRAUCH

the political opportunist who is not concerned with truth and justice, not with the welfare of humankind and his own country but who is only concerned with his political objective, no matter by what means he thinks he can attain it, even if these means do violence to the legal heritage of his fellow-men. These ugly companions are further joined by one of the strongest and most dangerous powers, i.e. prejudice. All these powers, inimical to the light of truth, are sources of public opinion. So far from being infallible, it is, in a given case, a very dangerous and ruthless dictator. This dictator cannot only destroy the independent administration of justice but, as we have learned, whole democracies. Democratic Germany of the Weimar Republic was destroyed by the ballot-paper of an electoral system that was democratic to the core. Up to the 30th January 1933, elections were undoubtedly free. Misguided public opinion is thus a sinister dictator, and it is one of the foremost and most important tasks of independent justice, also from the point of view of national policy, to stop this poisoning of wells in order to find the straight path of truth which leads to justice.

Your Honors, you have been called upon to pronounce judgment in the greatest economic trial of all times, and at a time when the character picture of the defendants, distorted by partisan feelings of love or hatred is vacillating in History's flicker-light. The prayer is offered from the bottom of our hearts that Heaven may bless your verdict.

OPENING STATEMENT KRAUCH

I appear in this trial of the members of the Farben Vorstand for their primus inter pares, the chairman of the Farben Vorstand, S c h m i t z.

As the previous speaker has announced, defense counsel have split up the defense material in a number of different subject-matters, each to be taken over by different counsel, without, however, depriving individual counsel of his right to add, as his duty may direct him, material of his own in the course of the presentation of the proof. Right at the start, I would like to make an observation concerning the subject of the so-called rebuttal, that is to say, the proof of the Defense: This rebuttal logically presupposes at least a conclusive proof on the part of the Prosecution. This conclusive and incriminating evidence has, in my opinion, not been established by the Prosecution with regard to any of the counts of the Indictment. What may have been established by the Prosecution, though only as prima facie evidence, does not justify the charge of criminally relevant culpable activity of the defendants. If the Prosecution's proof must be said: multa non multum. The charges can therefore, at the present stage of the proceedings, already be dismissed by the verdict of not guilty. The so-called rebuttal of the Defense therefore is operating in the vacuum of a not-conclusively substantiated evidence on the part of the Prosecution. Therefore, the rebuttal of the Defense, considered abstractly and from the point of view of definition, is not only superfluous, but also unnecessary as a matter of principle. The Defense presents this proof only, as it were, diligentiam praestantis causa.

If the London Charter and Control Council Law No. 10 are correctly interpreted, Prosecution has failed to bring forward any evidence



to the effect that the activities or non-activities of my client had a causal nexus with facts that are punishable per se. Culpable causation means that his acting or omission would have violated a moral duty by whose fulfillment he could have avoided or removed wrong. In the presentation of evidence, especially with regard to the fact that my client was not in a position to prevent wrong from being done, let alone actually caused wrong to be done, the fact that the political and social set-up of the Third Reich, that is the boundless despotism of one single individual and his closest henchmen, deprived him of the possibility of doing what the Prosecution required him to do plays a decisive part. This fact is the terror that prevailed in the Third Reich which increased as the years went by. I shall try in my proof-in-chief as well as in any further examination of witnesses to make this terror stand out in as bold relief as possible for the benefit of the Court.

Furthermore, my main task in the framework of this division of labor and subjects between the various defense counsel will be to establish the evidence that this indictment is built upon a wrong historical conception about the ideological and, thereby, also political attitude of the social and professional stratum to which the defendant Schmitz belonged, i.e., German industry.

OPENING STATEMENT SCHMITZ

the leaders of German large scale industrial enterprise.

General Taylor in his Opening Statements, with respect to the two current industrial trials, has stated the following: I quote from the Flick trial:

"Krupp, Flick, Thyssen, and a few others swayed the industrial group; Beck von Fritsch, Rundstedt, and other martial exemplars ruled the military clique. On the shoulders of these groups Hitler rode to power, and from power to conquest."

"Hitler was, to be sure, the focus of ultimate authority, but Hitler derived his power from the support of other influential men and groups, who agreed with his basic ideas and objectives."

It is evident that these statements of the General's were aimed at the industrialists. I continue the General's quotation:

"Unless Jewish, the business man and the officer lived comfortably and flourished under Hitler. The Third Reich dictatorship was based on this unholy trinity of Nazism, militarism, and economic imperialism."

"The small group of coal and steel kings had in their hands great power to mould German economic structure, and to influence German policies and the German way of life. We will see in this and other cases how they utilized that power."

The same ideas occurred in the General's Opening Statement in this trial. I quote:

"The charge is made that the defendants, together with other industrialists, played an important part in establishing the dictatorship of the Third Reich."

"The objective of the defendants was conquest. The origins of the crimes with which the defendants are charged may be traced back over many decades, but for present purposes their genesis is in 1932, when Hitler had established himself as a major political figure in Germany, but before his seizure of power,



OPENING STATEMENT SCHMITZ

And the advent of the Third Reich. Subsection A of Count One of the indictment charges that the defendants, together with other industrialists, played an important part in establishing the dictatorship of the Third Reich." When we charge an alliance between the defendants and Hitler and the Nazi party etc. "Without such cooperation Hitler and his party followers ~~would never have been able to seize and consolidate their power in~~ Germany, and the Third Reich would never have dared to plunge the world into war." Farben's devotion to the National Socialist Party and the Third Reich remained unshaken.

The attitude which is revealed in these and other statements is wrong, though understandable in a man who never lived in the Third Reich and bases his opinion, certainly in an honest attempt to find the truth, partly on uniformed, prejudiced information from emigrants, conceding to them, though, their moral justification for nursing such a prejudice. A client of mine of an uncommon high standard of character and intelligence, the former editor-in-chief of the "Berliner Tageblatt", Theodor Wolf, whom I looked up in Switzerland in the first days of his emigration, stated to me that, though he would do some writing in the emigration, he would never make the political conditions in Germany the subject of his literary activities, "Because an emigrant for natural reasons and as it were by the will of God is about the worst-qualified to judge of home affairs." Those words then made a deep impression upon me and experience has corroborated them. The General, furthermore, must base his judgement on a rather ill-intentioned source of knowledge,

namely in a not inconsiderable part of German writers after the collapse, when, with many of them, to say the least, an enormous "ressentiment" forms the leitmotif.

I commented upon this erroneous attitude in my closing statement in the first industrialist trial, the Flick trial, and I would like not only to repeat it, but also establish its truth in my proof.

"Hitler owes his rise to the fact that the trade unions which, in 1920, on the occasion of the Kapp-Putsch, defeated by a general strike this movement thought by them to be reactionary, had been ground down in 1933 by years of unemployment because they had no more behind them the masses who had lost their belief in the trade unions. Six millions of unemployed had been crowding the streets, some of them for years, and the trade unions, which for decades had promised them the socialist heaven, were unable to help them. Then there arose from the ranks of the proletariat the "Savior" who promised them salvation, salvation from misery and all these masses of the lower-middle class and the proletariat followed this rat catcher from Hamelin. Where else did the number of votes he received come from?"

I shall interrupt here for a minute because I think there is a mistake in the translation.

At this juncture of my Closing Statement in the Flick trial I repeat, I refer to the testimony of the witness Krueger -- he described very vividly in cross-examination how horrified he was when, after the seizure of power, he suddenly saw rows of thousand of swastika flags fluttering in the wind in the so-called lower-middle class and working class neighborhoods.

And so I continued in the Flick phase:

"It is the masses that carried Hitler, not the elite, using the expression here in a sociological sense. And will you please not impute to me any snobbistic or socially presumptuous motives for choosing this expression which is just a technical term. (In the United States, I think, the expression 'intelligentsia' is used, to a great extent). The elite, however, is powerless without the masses. Today the legend is spread as if the whole of the former electorate of Social-Democrats and Communists had been in opposition to National Socialism. Not mistaken



how untrue this assertion is, is shown from the votes cast at the Reichstag elections. All these facts have been distorted by a maze of myths which today have already assumed the nature of incontrovertible facts and have become the basis of so-called philosophies".

Your Honors, your lofty task in the Farben trial is to separate the facts from these myths. I do not in the least accuse these stultified masses. What -- I fight against is the attempt to unjustly try and find a scapegoat. This attitude opposed by me and which the prosecution has made its own, has in my firm opinion not only caused the prosecution to present these charges against the great industrialists, but it also is the main obstacle to the recognition of truth and, thereby, one of the main proofs for the innocence of these industrial researchers and industrial businessmen in the dock.

In order to remove this fundamental historical error, proof must be adduced before this Tribunal that there can be no question of the leading figures of industry as such -- exceptions prove the rule -- and especially the leading men of Farben, representing the prototype of the Nazis, and that there can be no question of an alliance between them and Hitler with the aim of bringing Hitler and his brown battalions to power and of participating in this power, and, with the help of this power, then subjugating and enslaving first the masses of the German people and then the rest of the world through force and war. There can be no doubt that this matter is of relevance not only with regard to Count One,

OPENING STATEMENT SCHWITZ

but with regard to nearly all charges of the indictment. It is indeed the basical matter.

It was inherent in the nature of the Nuremberg trials that the Defense often, and even predominantly, could only work with witnesses who to a certain degree were witnesses on their own behalf because they had "belonged to it". I shall try -- I hope it will be technically possible -- to bring in the witnesses who were first deprived of their professional status and work and subsequently persecuted in the Third Reich at an earlier or later date by the Nazis.

Your Honors, I hope to show you in the course of this proof that there can be no question of guilt, let alone of criminal guilt, but only of tragedy. Whoever lived in a State such as the Third Reich, and moreover at such prominent positions of the economical life, could not prevent the shadows of these iniquitous doings from affecting his own sphere of life. Nobody knew this better than the man whose authority is unchallenging: acknowledged by all constitutions and institutions based on Christian theology, namely Saint Augustine, who said in his book "Civitas dei":

"That matters it, under what government mortal man lives as long as the who govern do not force those they govern to do godless and unjust things".

Well defendants lived in the Third Reich under a government



OPENING STATEMENT SCHWITZ

which forced those they governed to do godless things. I hope to establish before the Court in the course of the presentation of the evidence entrusted to me by the body of the Defense Counsel that this was the afore-mentioned tragical shadow and, through it, the tragedy of the defendants, but not their guilt under penal or moral law. Under those assumptions I will present to the Tribunal this proof which has been entrusted to me by all the Defense Counsel.

CERTIFICATE OF TRANSLATION

I, the undersigned, hereby certify that I am a duly appointed translator for the English and German languages and that I have checked the accuracy of the above translation of the Schmitz Opening statement, inserting such passages as were omitted in the transcript.

Leonard LAWRENCE  
No. 20138



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Christian SCHNEIDER

English



Case 6  
Defense

OPENING STATEMENT

by Dr. Hellmuth D I X

before

American Military Tribunal VI

Case VII:

Karl Krauch et al

for

Christian Schneider

.....  
Nurnberg, December 1947

Stamp:  
Military Tribunal  
Nurnberg





OPENING STATEMENT SCHNEIDER

Your Honors:

Within the framework of the general defense, I shall discuss the subject of foreign labor, i.e. the fundamental legal problems resulting from it and pertaining to Count III of the Indictment - the subject concerning Prisoners of War and ordinary prisoners will be dealt with elsewhere within the framework of the general defense. In respect to the problems which I shall discuss, the Prosecution considers all defendants guilty. The Prosecution bases its opinion to a large extent on the judgment of the International Military Tribunal. That judgment, however, referred to persons who exercised political leadership and guidance in introducing and carrying out the forced labor program. Consequently, it also dealt primarily with the methods by which the public authorities recruited and secured workers for the German military economy. Type of work performed at the place of employment as well as living conditions were discussed by the International Military Tribunal, within the framework of the entire program, only in reference to bad conditions which were mainly due to official directives or to their effects in connection with the war events and should, therefore, only be attributed to the responsible leading persons involved in that trial. The specific legal and factual conditions, to which the German economy and particularly the individual private industries were necessarily subjected in the course of events, were discussed in detail neither in the judgment of the International Military Tribunal nor by the Prosecution of this trial.

In this trial, too, it will be the task of the Defense to point out these conditions. Owing to the modern technique of warfare, Germany was gradually forced to make its entire manpower available for armament purposes and other necessities of this struggle.

#### OPENING STATEMENT SCHWEIDER

The other European countries, too, experienced a similar development. I shall submit to the Court the basic legal provisions in this respect. Even in non-totalitarian States, the conception of a compulsory labor service prevailed more and more during and after the war. As the war progressed and the requirements of the troops increased, the manpower available in Germany by no means sufficed to cover the demands of industry and agriculture. The Government therefore decided to cover these requirements by utilizing the population of countries occupied by German troops, or by other European countries. This was done at first by voluntary recruitment and later by so-called labor conscription. I shall present documents to prove the methods by which this was done. Everywhere the details of procurement and treatment of foreign workers were regulated by laws or decrees or international treaties. Neither were provisions for welfare and leisure overlooked.

In view of this comprehensive program, the smallest details of which are subject to official regulation, the average German entrepreneur in all fields of industry never entertained the thought that there was anything illegal, let alone criminal or inhumane in employing foreign workers, provided he took proper and good care of them in accordance with the respective regulations. Hundreds of thousands, yes, even millions of farmers, craftsmen and industrialists were in the same position. With the increasing effectiveness of modern technical warfare on land, at sea and in the air, the life of ~~the~~ people came to be directed and regulated in all details by government measures. It would probably hardly have occurred to any one of these German businessmen to have checked the legality of these events on the basis of traditional German conceptions of International and public law and it would have been more difficult in National-Socialist Germany during the war, owing to the secret location and transfer of many libraries, to do so, but even had he done so, he would not have been able to refute the general conceptions outlined above.



OPENING STATEMENT SCHWEIDER

Within the scope of presentation of evidence, I shall also briefly deal with this and its historic reasons. Perhaps the argument may be put forth that these Germans might have been taught better by a study of foreign systems of international law. Not only in National Socialist Germany, however, but in every other state, it is inconceivable that a private individual, armed with a text-book of international law written by a scholar who is a national of an enemy State, should attempt to convince his own government that the system of laws and treaties it had built up is incompatible with the provisions of International Law.

This leads me to the last and most important point which I shall discuss when presenting my evidence and which excludes the culpability of the individual private industrialist and farmer, in connection with the employment of foreign labor. In this modern, so-called "total" economic war the production - regardless of its type - carried out by the manager of a large industrial or agricultural undertaking was always of decisive importance for the outcome of the war and he was actually not in a position to oppose successfully the foreign labor program. Mere criticism as such would probably have resulted in destroying the livelihood of the person concerned and in detention in a concentration camp which would have involved loss of freedom and perhaps even loss of life. The judgment of the International Military Tribunal itself confirms that after the consolidation of the power of the National-Socialist regime, all criticism was strictly prohibited, even before the war, and any free expression of opinion was absolutely out of the question. Furthermore, without the allocation of foreign labor a large plant would never have been able to fulfil its production orders, in which case its manager would have been convicted of sabotage and treason, in accordance with the extremely severe regulations, which I shall also submit to the Court. But this would by no means have had any effect on the allocation of foreign labor.

OPENING STATEMENT SCHNEIDER

On the other hand, not only would the livelihood of such a man and his family have been destroyed, but, in accordance with the psychological laws of dictatorships and their reaction to opposition, the lives of people near to him would have been to the highest degree imperiled. Consequently, such opposition on the part of a private businessman, which at the best would have proved useless, was not only in fact impossible, but, in accordance with the judgment of the International Military Tribunal, could not have been justified from a moral point of view.

The responsibility for a political program such as the slave labor program may therefore be placed only upon the political leaders, as was done by the judgment of the International Military Tribunal. These alone even during a war were in a position to obtain knowledge of the legal and factual aspects required for a decision in this question. For a private person, this was made impossible, by means of the strict control and strong influence exercised on sources of information by law, terror and propaganda as applied in National Socialist Germany. Hundreds of thousands of German industrialists and farmers had therefore no other choice but to provide, to the best of their ability within or even beyond the limits permissible, for the foreign labor allocated to them. My colleagues and I will prove, in the further course of the presentation of evidence concerning the individual plants, that Dr. Schneider and the other defendants, after having first, only very reluctantly, submitted to the allocation of foreign labor, did their best to render the lot of the foreigners entrusted to them by law and the authorities as tolerable as possible. I shall further prove that, in doing so, they only acted in conformity with the spirit of an exceptionally outstanding performance in social work known general to be in the tradition of I.G.

I am convinced that this evidence and the establishment of the true facts are, for this Tribunal and for the public, the best answer to the charges and the contention of the Prosecution, that IG had,



OPENING STATEMENT SCHNEIDER

within the framework of its foreign labor program, participated in enslavement and mass murder on a tremendous scale. Consequently, I consider it right to spare the Tribunal and myself the trouble of replying to the strong words of the Prosecution in a similar manner.

After concluding the presentation of evidence on this fundamental problem of Count III of the indictment, I will apply myself to dealing with the personal responsibility of the defendant Schneider and the problems connected herewith. I shall prove that the defendant was a socially minded and just works manager and a successful inventor and technician, a man who abstained from politics, loved peace and never intended to prepare military aggression either by his work or by any other means or to lend his support to such preparations.

As my colleagues, and particularly my learned friend von Holtzner have already emphatically and convincingly shown, the Prosecution has up to now in no way substantiated its statement to the contrary, or furnished proof in this respect.

The Tribunal, however, has not yet decided on this point. If it should later prove necessary, I shall - in fulfillment of my duty as Defense Counsel - present evidence that the technical tasks and achievements in the sphere of work of the defendant Schneider served peaceful aims in peacetime and in no way served to prepare aggressive war. Neither from these or any other sources was Schneider able to recognize the aggressive intentions of Germany's political leaders. The defense will show, that even in war time, he only complied, like millions of other Germans, with the orders of his government and fulfilled his duties as a citizen. These facts exonerate Schneider from responsibility in all parts of Count I of the indictment.

OPENING STATEMENT SCHNEIDER

With regard to Count II of the Indictment I shall probably examine only the defendant as witness, because the events dealt with by the Prosecution do not in any way fall within his sphere of work. In answer to the question of the Tribunal, he himself pleaded not guilty under this Count. In my final plea I shall furnish the grounds for the correctness of his answer, which are based on the evidence of the Prosecution and the entire Defense Counsel.

Finally, I shall once more refer to Count III of the Indictment and shall prove the nature and limits of Schneider's responsibility, particularly in his capacity as Betriebsfuhrer of Leuna and chief Betriebsfuhrer of IG, referring to the provisions of the law and actual practice, within the framework of the evidence to be presented by me. This will prove that Schneider, within the limits of his responsibility, in everything he had to deal with or which had otherwise come to his attention, did everything possible in conformity with the law and even more, in order to fulfil his legal and human duties. It ensues from these facts that he should not be charged under Count III of the Indictment.

I shall probably not deal personally with Count V of the Indictment but will refer to the statements of my defense colleagues; however, I do intend to present evidence to prove the fact that the defendant Schneider was not a member of the SS, i.e. a criminal organization within the meaning of the judgment of the International Military Tribunal.

The career of the defendant Schneider was determined not only by his professional achievement, but primarily by his character, particularly by his strong sense of justice and responsibility. It is my conviction that the same must and will also prevail in respect to the outcome of this trial, in accordance with the arguments presented by the defense.



CERTIFICATE OF TRANSLATION

14 January 1949

I, Patricia WOOD, No. 20139, heroby certify that I am a duly appointed translator for the English and German languages, and that the above is a true copy of the English transcript of OPENING STATEMENT SCHNEIDER in which I have inserted such passages as had been omitted.

Patricia WOOD,  
No. 20139.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Georg von SCHNITZER

English





Case 6  
Defense

OPENING STATEMENT.  
-----

by

Dr. Walter Siemers,  
Attorney-at-Law in Hamburg.

before the

American Military Tribunal No. VI

in Case VI:

Carl Krauch et al.

for

Dr. Georg von Schnitzler.

Nuernberg, December 1947.

Georg



Your Honors,

Having completed the work in the first big Nuernberg industrial case, the Flick case, together with 5 other defense counsel - although I shall not know the result until the publication of the impending verdict - , I shall now attempt to continue the defense of the German economy and German industry in the second industrial case, against the largest German economic Konzern, the I.G., within the scope of my defense of Dr. Georg von Scharitzler. I have been of the opinion that these industrial cases are not directed against the individual defendant but, fundamentally, against the whole of German economy. In the last few days in the Krupp case General Taylor contradicted my opinion and emphasized that the defendants would be held responsible purely personally and not as symbols or representatives of the entire industry. I stand nevertheless by my assertion, which demonstrates the danger to the whole of the German economy, simply because the main counts of the indictment, and the many assertions of the prosecution show this quite unequivocally, i.e., the fight against the entire economy and against German capitalism as a whole. The realization of this tendency is no superfluous theoretical issue; an attack against the economy does not only affect capitalism and the major industrialists, but it similarly affects thousands of medium and minor industrialists, thousands of employees, foremen and workers.

The question which Labour-member Rhys Davies put in the House of Commons on 23 May 1947 is, therefore, not an accident but a necessary consequence. He asked his government whether plant leaders, foremen, engineers and skilled workers - who according to the indictment helped the national socialist war machine just as much as did the industrialists - would also be brought to trial since the American authorities had brought German industrialists to trial for the same reasons.

The Labour-member's question in itself confirms the correctness of my opinion. The same conclusion can, however, be drawn from the Prosecution's own statement which repeatedly mentions the alliance of the entire industry



with Hitler and militarism and which does not limit this alliance to certain defendants, but has mentioned innumerable other German concerns and firms which were not indicted.<sup>1)</sup> Such is the case with the statement of the prosecution on Count I, i.e. wars of aggression, this is shown even more clearly in Count II, the so-called plunder and spoliation, and Count III, so-called slave labor. Here again, emerges the fact that innumerable Germans are being attacked, through the type of accusation alone, even though the Prosecution need not say so in so many words.

"Spoliation", as seen by the Prosecution, does not only consist of plundering as prohibited by Article 47 of the Hague Territorial Warfare Convention, i.e. removal of objects, but also the exploitation of the economic strength of the occupied territory, and even the operation of a factory in the occupied territory in the interests, entirely or in part, of the occupied territory. But if this wide definition of plundering constitutes a war crime, then not only are individual defendants guilty of this war crime, but also countless other industrialists and, this is important, not only the industrialists as entrepreneurs, but also, in accordance with Control Council Law No.10 as principals and accessories, a vast number of employees, foremen and workers who worked in the occupied territories in such factories.

The situation as regards Count III, the alleged slave labor count, is exactly the same. If the Prosecution is right and if the mere employment of foreign workers, irrespective of good or bad treatment, is a war crime, then hundreds of thousands of German industrialists, employees, charge hands, foremen, skilled workers and farmers are guilty of this war crime.<sup>2)</sup>

What caused the Prosecution to cast their nets so wide?

Even at the Crimean Conference on 11 February 1945 the aims of the Allies were formulated in such a way that every German who retained his ability to reason, in spite of 12 years of National Socialism could agree with the statement:

"It is our inflexible resolve to destroy German militarism and and national socialism and to ensure that Germany will never again be able to destroy world peace."

1) See for instance Opening Statement of the Prosecution, Trans. p.62, 27 August 1947

2) Not to speak of foreign countries.

In the meantime, however, the scope of the aims was increased and little by little Hitler, the high Nazi leaders and the war-mad militarists were no longer held solely responsible; the decent German military personalities and industrialists were also included, and it does not matter - these are General Taylor's own words - whether these industrialists had anything to do with national socialism or even whether they were persecuted by the nazis or regarded with distrust.<sup>3)</sup> If industrialists are however brought to trial irrespective of their national socialist leanings, that is pure anti-capitalism which, as we have seen, gives great joy to the Communists, and conforms with Hitler's often repeated attacks against the

-----  
3) See Opening Statement of the Prosecution, Transcript of 27 August 1947, page 65.



industry, who hated the educated section of Germany, especially the industrialists, and also repeatedly attacked the capitalists, stating, for example, on 10 December 1940:

"How can a capitalist possibly come to terms with my principles. Rather will the devil go to church and use holy water, before a capitalist will consider grappling with the ideas which we now take for granted." 4)

3.) b. The fundamental points of law for this case are to be found in international law. Up to now it was a general legal principle for the state, which is concerned with the rights and duties of international agreements, to be responsible for protecting the fundamental principles of international law. In the interests of international law one now quite rightly wishes to make the private individual responsible as well, and this principle, which, *de lege ferenda*, must definitely be admitted, is commonly held, especially in America by, for example, Professor Roscoe Pound, professor for international law at Harvard, and Henry L. Stimson, the famous Secretary of State for War under Hoover and Roosevelt. 5)

Up to now, however, this was not an established or common law. General Taylor's objection that my opinion, supported with an appreciation by the international jurist, Dr. Herbert Kraus, was considerably out of date, was probably based on error. 6) I can point out, on the other hand, that General Taylor in this debate had wrongly referred to the IMT case and verdict although in this case here in Nuernberg, individuals were indicted, they were not private individuals as in the industrial cases, but officials who acted

---

4) Adolf Hitler's speech on 10 December 1940 before armament workers, published in "Der Grossdeutsche Freiheitskampf", Volume II, page 162.

5) and others, see "Neue Zuercher Zeitung" in "Neue Auslese", 2nd year, No.9, September 1947, p.125.

6) Transcript in Flick case, page 10124 seq.

for the State and who bear responsibility under international law together with the state. This endorses the opinion of the highest judicial authority in the field of International Law, namely that of the Hague International Court of Justice, which decided in the year of 1928 that international law

"provides no direct laws and obligations for private individuals".

It is interesting to see that the Prosecution in the first Nurnberg Trial of 1946, under the direction of Justice Jackson and General Taylor, used the same interpretation, and restricted the responsibility to those people who were acting directly for the State.<sup>7)</sup> If then the Prosecution has changed its judicial interpretation in the meanwhile, the reason for this clearly lies in the wish to find a legal basis for the responsibility of the industrialists in the industrial lawsuits.

4. c) The third reason which caused the Prosecution to extend its charges, so as to include the whole of the German economy, is to be sought in their attempt to construct a legal basis for General Clay's assertion that Germany

7) I refer: a) to the speech for the Prosecution of the French Chief Prosecutor de Menthon on 17 January 1946 in which he said: "It is obvious that in a modern organized State, responsibility is confined to those who act for the state, as they alone are in a position to judge the legitimacy of the orders given. They alone can and shall be prosecuted."

b) to the following statements of the Russian Prosecutor, Col. Pekrovsky, of 13 February 1946: "It is a natural conclusion (from the Hague Rules of Land Warfare) that in cases of violation of these obligations, the government of the country that is a signatory to the Convention must be held responsible for a crime committed against a prisoner of war and especially for a series of crimes against the dignity, person, health and life of prisoners of war."



could not derive any rights from the Hague Rules for Land Warfare because Germany had broken international law too frequently and on too large a scale. This view can be derived neither from the Hague Rules for Land Warfare nor from the concept of unconditional capitulation as I shall proceed to show and prove at a later stage. Yet, the Prosecution has not admitted to validity of this view if applied in favor of German industry in connection with events in Russian occupied territory, although this would have been logical.

5. General Taylor's Opening Statement in the IG case shows, moreover, the extent to which the trial is being influenced by purely economic considerations. I am referring only to 2 quotations adduced by General Taylor:

aa) The Alien Property Custodian of the United States, in his report in the year of 1919 on the chemical industry, declared that:

"The German chemical industry, which had so thoroughly penetrated and permeated our own, was gigantic, perhaps the strongest, and certainly the most remunerative of all Teutonic industries." 8)

bb) President Wilson, in his message to the United States Congress in the year of 1919, pointed out that:

"Among the industries to which special consideration should be given is that of the manufacture of dyestuff and related chemicals. Our complete dependence upon German supplies before the war made the interruption of trade a cause of exceptional economic disturbance. The close relation between the manufacturer of dyestuffs, on the one hand, and of explosives and poisonous gas on the other, had given the industry an exceptional significance and value. Although the United States will gladly and unhesitatingly join in the programme of international disarmament, it will, nevertheless, be a policy of obvious prudence to make certain of the successful maintenance of many strong and well equipped chemical plants." 9)

---

8) Opening Statement of the Prosecution, Transcr. of 27 August 1947, p.47.

9) " " " " " " " " 27 August 1947, p.51

Now, if the President of the United States thinks the creation and maintenance of chemical plants necessary for military reasons, the fact that the defendants are to be blamed for the enlargement of the chemical industry, which has now been crushed in Germany, contrary to American customs and prior to judgment on IG, is a very striking fact and reveals the tendency of the Prosecution.

As for the charge of Aggressive War, the IMT Judgment drew absolutely clear distinctions which conflict with the charges against these defendants. The IMT-Judgment explicitly affirmed the principle of personal guilt and postulated that a defendant could only be found guilty if he had precise knowledge of Hitler's aims and with this knowledge gave him his cooperation.<sup>10)</sup>

Moreover, the IMT-Judgment only affirmed the cognizance of the defendants if they had an absolute positive knowledge and, in particular, knew of Hitler's declarations as contained in the so-called key documents, to wit the 4 speeches to the Wehrmacht Commanders, by attending these conferences. But, according to the Prosecution's own case, these essential prerequisites are not complied with in this case. Moreover, I shall prove that Schnitzler did not know Hitler's aims nor these declarations of Hitler and, he could not possibly know them because he had no contact with the persons concerned.

How rigorous were the criteria applied by the IMT to the Prosecution's onus of proof is shown by Schacht's acquittal. Schacht certainly had a more comprehensive view of things than Schnitzler and yet the Tribunal stated that proof had not been established because Schacht did not attend

<sup>10)</sup> Official edition, page 252/3 German, page 226 English.



the aforesaid conferences and was therefore not in a position to know Hitler's declarations.<sup>11)</sup>

The Prosecution has now submitted affidavits from Schnitzler which they regard as proof of his knowledge and wish to have considered as a confession.

Within the framework of the Defense, I shall show that this conception is incorrect, quite apart from the fact that these affidavits do not constitute effective proof within the meaning of the Judgment of the IMT. Already at the beginning of the trial, I applied for the rejection of the affidavits which the Prosecution obtained from Schnitzler during his imprisonment, without their telling him that he was likely to be a defendant, but, on the contrary, taking his evidence specifically as a voluntary witness and without according him the benefit of legal advice; this, moreover, in such circumstances and in such a manner as was bound to result for him in mental depression and constriction, especially in view of the unstable nature of this so-called "witness."

Even if you wished to disregard the mental pressure from which Schnitzler was suffering, however, the affidavits still do not contain any confession, because Schnitzler does not therein relate or admit any facts, but merely states arguments, which, moreover were influenced by the Prosecution and at the very least were suggested to him.

In order to understand all this, it would be necessary to know the conditions in Germany during the National Socialist domination and especially to have lived through the period in Germany after the Munich Agreement. The behavior of Hitler after the Munich Agreement called forth the greatest pessimism both at home and abroad. After March 1939, this pessimism increased to an extraordinary extent, Hitler having suddenly concluded an obscure Agreement with President Hacha.

---

11) Official edition, page 349/50 German, 310 English.

Just at this time, Schnitzler was conducting industrial German-English negotiations and was just as much shocked by the ruthless behavior of Hitler as were the Englishmen who were negotiating with him. When the Polish question became acute, the anxiety of many Germans and foreigners, and likewise of Schnitzler, became ever greater; nevertheless, it was still hoped and believed that Hitler, as in Munich, would be sensible enough not to make any exaggerated demands and would content himself with that which he openly demanded and which - as shown by the statements of the Swedish major-industrialist Bahlerus, as a witness in the first trial - England was willing to accord him. Chamberlain himself, the greatest fighter for peace, and the above-mentioned witness Bahlerus - as the latter testified - did not know, in those August days of 1939, that Hitler wanted to wage a war of aggression, because they did not yet know of the Hitler documents brought forward in the first trial; but they feared aggressive intentions by Hitler. Likewise Schnitzler, whose positive knowledge was smaller still, could at the time, like many other Germans, only fear, guess and discuss. This I will prove and this, according to the Judgment of the IMT, never constitutes a penal offense.

8. Turning now to the conduct of the IG in the occupied territories, that is, to those facts of the case summed up by the Prosecution under the term "spoliation."

I may first remark that, in accordance with an agreement among the Defense Counsel, I have taken over the work in this field on the legal and economic basis and will, therefore, deal with this subject specially in the course of my evidence and later in the plea.

The Prosecution, in their treatment of the charges of spoliation in the West and in the East, appear, as similarly in the Flick trial, to have committed the following legal or factual errors:



a) The term "spoliation" has not been defined in the Control Council Law. Spoliation is named merely as an example in Article 2, Point 1 b, as an illustration of what is meant by: "Acts of violence or offenses against property carried out in violation of the laws or customs of war."

Thus within the meaning of the Control Council Law, spoliation has taken place only if there has been a violation of the Hague Territorial Warfare Convention of 1907. The wording of the Control Council Law shows, moreover, that only overwhelming facts are to be considered as war crimes. It is therefore not applicable if the Prosecution simply declares any formal offense against the Hague Convention on Territorial Warfare to be a war crime. Thus, for instance, the Prosecution views the removal of a set of machinery in the Winnica case as a war crime, without considering that the Polish firm belonged half to the French and half to the IG, and then the French transferred their shares to the IG, so that it was now a matter of IG property.

b. The Prosecution also entirely disregarded economic principles in the same way as the legal aspect, i.e. to what extent it was a matter of State measures and how far the IG had to steer its policy in accordance with the dictates of the State. Industry did not take part in the Government's so-called spoliation program, which Goering may have discussed with Hitler and others at secret meetings, and was entirely ignorant of a large proportion of the documents of this type submitted in the big case and in the industrial cases.

With regard to industry - I am thinking here of the Francolor case - the Prosecution did not take into consideration the fact that months of negotiation had taken place between the French dyestuffs firm and the IG, which eventually led to an agreement;

and this agreement was -- as I shall show -- not economically harmful to the French dyestuffs firm, but was an adequate mutual agreement, on the basis of which the French dyestuffs factories could work for and, to a great extent, supply their own population, in any case an agreement which worked out much better and more favorably for the occupied territory than the present much favored dismantling of factories.

c) The Prosecution has given spoliation within the meaning of the Hague Territorial Warfare Convention of 1907 far too wide a significance and has here left modern industrial warfare, which in 1907 was not yet known, entirely out of consideration. Every law, including international law, is dependant on historical development which may lead to its expansion but may also lead to limitations. The International Military Tribunal, therefore, also said in its judgment on International Law:

at  
"This law is not static, but by continual adaption/follows  
the needs of a changing world."

The Hague Territorial Warfare Convention can, therefore, not be interpreted by the letter of the law but only by the spirit. At that time there was no such thing as serial warfare, which has been waged unrestrainedly and with the most cruel weapons, although in accordance with Article 25 of the Hague Territorial Warfare Convention, the attack on or bombardment of defenseless towns or villages is forbidden.

There was at that time no blockade of a whole Reich, as in the first World War, or of almost an entire continent, as in the second World War. Similarly there was none of the economic warfare resulting from the blockade. None of this was provided for in the Hague Territorial Warfare Convention, and consequently in so far only the general and essential principles can stand and the individual resolutions cannot be applied in their formal legal sense.



and this agreement was - as I shall show - not economically harmful to the French Ivestuffs firm, but was an adequate mutual agreement, on the basis of which the French Ivestuffs factories could work for and, to a great extent, supply their own population, in any case an agreement which worked out much better and more favorably for the occupied territory than the present much favored dismantling of factories.

c) The Prosecution has given spoliation within the meaning of the Hague Territorial Warfare Convention of 1907 far too wide a significance and has here left modern industrial warfare, which in 1907 was not yet known, entirely out of consideration. Every law, including international law, is dependant on historical development which may lead to its expansion but may also lead to limitations. The International Military Tribunal, therefore, also said in its judgment on International Law:

at  
"This law is not static, but by continual adaption/follows  
the needs of a changing world."

The Hague Territorial Warfare Convention can, therefore, not be interpreted by the letter of the law but only by the spirit. At that time there was no such thing as serial warfare, which has been waged unrestrainedly and with the most cruel weapons, although in accordance with Article 25 of the Hague Territorial Warfare Convention, the attack on or bombardment of defenseless towns or villages is forbidden.

There was at that time no blockade of a whole Reich, as in the first World War, or of almost an entire continent, as in the second World War. Similarly there was none of the economic warfare resulting from the blockade. None of this was provided for in the Hague Territorial Warfare Convention, and consequently in so far only the general and essential principles can stand and the individual resolutions cannot be applied in their formal legal sense

just as in aerial warfare the Allies did not apply Article 25 of the Hague Land Warfare Convention.

There can be no doubt that an International Law exists, whether it be statutory or common law, and that the important principles of International Law must be respected in every way. I shall show, however, that International Law unfortunately has no very firm basis and that it is, therefore, extraordinarily difficult for a lawyer and especially for an industrialist to recognize from the facts of an individual case whether or not they constitute a violation of International Law. This uncertain Basis itself shows that an industrialist, that is, a private person, cannot be held responsible for the observance of the law, especially as he cannot assess the individual actions introduced by the Government, since he does not know the motives. I should like to demonstrate this with one simple example:

"This is Article 43 of the Hague Land Warfare Convention. It is here laid down that the occupying State shall make every provision

"To restore and maintain public order and public life."

After the German troops had occupied wide territories in the East in June and July 1941, a decree from Hitler was issued on the administration of the occupied Eastern territory, dated 17 July 1941, the Preamble of which read:

"In order to restore and maintain public order and public life in the newly occupied Eastern territory, I decree... etc."

In fact, the precise words of Article 43 of the Hague Land Warfare convention, so that each must have proceeded from the idea that the interests of the occupied territory would not be disregarded.

Moreover: The continued operation of factories in the occupied territories, and their operation in the interests of the population of the occupied country are also contained within the meaning of Article 43.



A comparison with present conditions in Germany will serve to illustrate how the legal concepts vary as to what is permissible in occupied territory.

The Directive issued by the Combined Chiefs of Staff on behalf of the General of the Army Dwight D. Eisenhower (JCS 1067), dated April 1945, states as follows:

"Germany is not being occupied for the purpose of its liberation, but as a result of being a defeated enemy state. The goal is not the subjugation, but the occupation of Germany in order to achieve certain important aims set by the Allies."

Consequently, there cannot be any legal doubt that the Hague Convention on Land Warfare is applicable in this instance because a defeated and occupied enemy state is the only prerequisite for its application and the Hague Convention on Land Warfare itself does not make any exception. Nevertheless, the same directive issued on behalf of General Eisenhower states as follows:

"to take no measures towards economic restoration and no steps to maintain and to strengthen the German economy."

This clear wording shows that on the part of the U.S.A. there prevailed the opinion that article 43 of the Hague Convention on Land Warfare could be disregarded and the recently published list of dismantled German plants discloses the same intention.

In order to make my statement complete, I have to add that the above quoted JSC 1067 was valid for approximately 2 years, up to the summer of 1947, and is no longer in force. The new directive for General Clay strikes a more friendly tone for the German economy and many other facts disclose a similar attitude. But all this proves the vague basis of International Law which can hardly have changed between April 1945 and July 1947.

9. With reference to Count III of the indictment, foreign workers, prisoners of war and concentration camp prisoners, I defended in the Flick trial the Ruhr industry in detail, particularly the mining industry and many other firms, against these charges. In this trial I will be brief inasmuch

as Dr. Schnitzler did not handle questions of plant operation and particularly not details of labor allocation. Consequently the defense of my client will be limited to the charges of the Prosecution that, as a member of the Vorstand as well as a member of various organizations such as the Reich Industry, he bears co-responsibility. The Prosecution states,

"It is not proper to claim the privilege of authority without accepting responsibility," 12)

overlooking thereby the distinction which must be drawn between the responsibility of the Vorstand under the civil law; namely, the corporation law on the one hand, and responsibility under criminal law on the other hand. The criminal law requires proof of guilt to establish responsibility, thereby requiring positive knowledge of certain facts. The prosecution itself admits that many of the defendants were not aware of these details but states, however, that they were in a position and were obligated to obtain knowledge of these details and should have done so and should have conducted investigations for this purpose.

Apart from the fact that in the case of so large a concern it is utterly impossible to conduct "investigations continuously", it does not constitute a part of the duties of every member of the Vorstand within the organization of such a large concern and such a large Vorstand, as the proceedings will prove, to concern himself with questions of plant operation and in so doing to neglect his own sphere of work.

The Prosecution has also recognized this fact and is endeavoring to overcome it with the aid of the Control Council Law, by referring to Article II c) and 2) of the Control Council Law Number 10, which, in addition to the usual forms of criminal participation, has created two 12a) new forms of participation; namely, the fact

12) Opening Statement of the Prosecution, Transcript, p.181.

12a) Perpetrator, abettor, instigator etc.



of a person holding a high position in industry or economy, and the fact of mere membership in an organization connected with the commission of a war crime, whereby, surprisingly enough, I.G. apparently is considered as an organization or association of that kind.

In the course of this trial it will be proved that this provision, particularly its interpretation as attempted by the Prosecution, is contrary to the Judgment of the International Military Tribunal. When declaring specific organizations as criminal the IMT clearly stressed a point that "mere membership is not sufficient and that guilt under criminal law is always individual guilt." Consequently the Prosecution must also in this instance prove not only the fact of position and membership, but also furnish proof of guilt, that is, individual participation, quite apart from the fact that I.G. as a corporation is not to be regarded as an organization within the meaning of Control Council Law.

Moreover, in order not to unduly take up the time of the Tribunal, I have already submitted an opinion in the Flick trial on these matters, a detailed expert opinion by Attorney Klefisch, which I shall also submit in this case.

In addition, I shall limit myself for the time being to merely quoting the words spoken by the American Military Tribunal II in Case IV. I quote: 13)

"Again the Tribunal is impelled to ask what should he have done? Unless it is willing to resort to the principle of group responsibility and to charge the whole German nation with these war crimes and crimes against humanity, there is a line somewhere at which indictable criminality must stop. In the opinion of the Tribunal Vogt stands beyond that line."

And thus, I am of the opinion that this trial will prove that Schnitzler stands beyond that line and that in his case, too, the question is to be asked, "What should he have done?"

13)

Tr. from Case IV, page 8008.

I believe on the whole, and this brings me to my conclusion, that the Prosecution in judging the conduct of all the defendants is thinking too much of the democratic liberty which they themselves enjoy in America and repeatedly forgets that a National Socialist State represented a dictatorship of a particular extreme type, a fact which cannot be pointed out often enough and which is apparently understood only by those who have spent the entire last twelve years in Germany.

The Prosecution who is so apt to quote the International Military Tribunal overlooks the Judgment of the International Military Tribunal in this instance and ignores the statement of its own colleague, the French Prosecutor, at the big trial who aptly remarked in February, 1946,

"Hitler was indeed the incarnation of a will." 14)

Then, from this resulting strength and power led Hitler, as stressed in the Judgment of the International Military Tribunal to dictatorship with all its methods of terror and its cynical and open denial of the rules of law,<sup>15)</sup> and I quote further from the International Military Tribunal Judgment:

"Hostile, criticism, indeed, criticism of any kind was forbidden and the severest penalties were imposed on those who indulged in it. Independent judgment, based on freedom of thought was rendered quite impossible."<sup>16)</sup>

In connection with the Defense's case in chief I request the Tribunal always to bear in mind the extraordinary dangers and the tremendous power of the dictator who excluded freedom of action and freedom of wealth and thus I may conclude with the words of a Greek scholar, a contemporary of Plato: "You either stay away from the company of the tyrant or you submit to him."

14) Transcript page 4023,

15) Official edition of the Judgment, page 21,

16) " " " " " " 22.



I, Fred Lax, X 046 207, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct copy from the official transcript of the opening statement von Schnitzler.

Fred Lax,  
X 046 207

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Carl W U E S T E R

English





Case 6  
Defense

Opening - Statement

by

Friedrich Wilhelm Wagner

Attorney-at-Law, as Defense Counsel

for the

Defendant Dr. Carl WURSTER

in the proceedings of the

UNITED STATES OF AMERICA

- vs -

Carl KRAUCH et al.

before

Military Tribunal No. 6

Nurnberg, Germany.

Long



Opening - Statement.

by F.W. Wagner, Attorney-at-Law, Defense Counsel for the defendant  
Carl Wurster.

America has little knowledge of the continent of Europe in general and of Germany in particular, Germany and the continent of Europe on the other hand know little about America. There are only a few people, who know that the sessions of the Senate of the United States of America are invariably opened by a short prayer (one minute prayer), spoken by a clergyman. This prayer is published in the "congressional record" together with the minutes of the Senate meeting. One of these prayers by the Rev. Dr. Peter Marshall read as follows:

" Shed the light of Thy Holy Spirit within our minds and hearts, that all who sincerely seek the truth may find it, and finding it may follow it, whatever the cost, knowing that it is the truth that makes men free. Where we are wrong, make us willing to change, and where we are right, make us easy to live with."

Under the Hitler regime, at the time when darkest night had spread over Germany, when propaganda had usurped the place of truth, my client, Dr. Carl Wurster, too, preached the gospel of truth to new trainees.\*

-----  
\*) when they joined the Badische Anilin- und Sodafabrik Ludwigshafen/Rhein.



OPENING STATEMENT WURSTER.

He described Truth as the basis of the future activity of these young people and pointed out that everything in nature and also in the Science of Chemistry was subject to the Laws of Truth and that the laws of nature would not be denied or perverted with impunity. All those who sincerely seek this truth, may find it, if they are filled with the spirit of which the prayer speaks. This truth, which it is our duty in this trial to find, must however be accompanied by justice. Truth makes men free: justice is the foundation stone on which is built the communal life of an orderly human society. As defense counsel I shall, therefore, fight with the sword of truth to win for my client, Dr. Wurster, the liberty, which he expects from your sense of justice.

Dr. Wurster is accused together with the other defendants of being a war criminal. That is the simplest formula in which the indictment can be expressed. But the Prosecution have never asked Dr. Wurster what he has to say to those accusations, in spite of the fact that they had time and opportunity enough for such questioning. He never had an opportunity of defending himself against those who made these serious and positively defamatory attacks against him.

OPENING STATEMENT: WURSTER.

He was taken from the hospital at Ludwigshafen, the town where the Badische Anilin- und Sodafabrik is situated, and put into a prison hospital at Murnberg and then into the dungeons, but nobody knew what this man had to say to these aspersions. The only statement he has made in this trial so far, was not addressed to the Prosecution, but to this Court and was somewhat formal in nature. It consisted of two little words. When he was asked, whether he pleaded guilty or not guilty, he said "not guilty". To Dr. Wurster, however, these two words "not guilty" mean more than a mere legal formula, they mean genuine assertion of his complete innocence. They are the words of a man who, as I hope I shall prove, deserves credence. He is convinced, and so am I, that no blame can be attached to him in this trial either from the legal or the moral point of view.

The Prosecution is inclined to take the easy way out. In the indictment as well as when submitting evidence, the statement occurs time and again, that "all defendants" had done such and such a thing. but the Prosecution does not take the trouble of examining or proving the guilt of any individual defendant.



OPENING STATEMENT JURSTER.

There is no appreciation of the character of the person concerned or of his ability to commit the crimes with which he is charged here. The examination of the individual which must form in law more than anywhere else the basis of jurisdiction is sacrificed to a mechanical collectivist juggernaut which makes its violent and destructive path across everything and everybody. There is not a trace left of the theory of the value of the individual and of his claim to be assessed and treated as such.

Seeing how that great country which represents the last hope of all men standing for the freedom of the individual in the world, judging from the attitude of the Prosecution in this trial, seems to have been induced to throw all these principles overboard, one could despair.

Anyone who examines the charge brought against Dr. Wurster as a whole or individual points thereof in the light of his character is bound to realize that the charges against him are baseless.

It does not bother the Prosecution at all that in 1932 when as the Prosecution alleges

OPENING STATEMENT WURSTER.

an alliance between IG and Hitler was concluded which formed the origin of the alleged conspiracy, Dr. Wurster was one chemist amongst hundreds in the Ludwigshafen plants, who had not the slightest idea of the business transacted in the higher spheres of the IG., and was not in a position to have any knowledge at all of these matters. It is true that, as a young chemist, 31 years of age, he had already made a strong impression in 1932 by dint of his special inventions, of a considerable number of patents both at home and abroad, of the new processes he had developed. But he had just as little influence on the IG.-Konzern as a whole as any other chemist, a fact which nobody will be able to deny. The fact that he was appointed a member of the Vorstand of the IG at the age of 37 in 1938, 5 years after Hitler and the Nazis had usurped power in Germany, was due entirely to his exceptional achievements in the sphere of chemical science, to his untiring energy and to the fact that the people responsible for his appointment realized that. He was appointed a Vorstand member of this great concern in spite of the fact that he had no connections and that he had no personal, social or family relations and without any outside influence.



OPENING STATEMENT WURSTER.

Dr. Wurster is a selfmade man in the real sense of the phrase. He was forced to earn the money for his studies himself, he coached school-boys and students, and studied at night. During the vacations he worked in a factory as works student (Werkstudent), in order to be able to finance further study and to complete his studies. His was a hard life. A man who rose to the top the hard way and who is not ashamed of that fact but proud of it, such a man has special characteristics. You, Your Honors, are perfectly familiar with such men and their characteristics in the United States. When Dr. Wurster, who had only been a chemist up to that time, became Plant Manager of the large plant of the Badische Anilin- and Sodafabrik in Ludwigshafen and Oppau, when he was made a member of the Vorstand of Farben, he was faced with a gigantic task. He took pride in this plant with its 25,000 odd employees, and he devoted to it all his not inconsiderable energy. It was his aim to promote in his plant the science of chemistry and the production techniques of the chemical industry and yet to create a community embracing all the workers in the plant. He himself wanted to be nothing, but the first worker in this community, who took upon himself the lion's share of the work and the longest working hours. The human being was his main preoccupation,

OPENING STATEMENT WURSTER.

whom to make better and happier all these plants, all these machines and all these installations had been intended. It was his lofty aim to provide better, healthier and more beautiful residences for all those who worked in the factory, to construct a modern hospital and to develop further the social services of the factory, progressive though they were, and to take the boss-worker relationship out of the cold atmosphere prevailing between employer and employee into the warmer atmosphere of human relationship. That was his lofty aim. To make life better for his men; that he considered to be his task as Plant Manager of the Ludwigshafen plant. All that I shall prove. It is impossible that a man who holds opinions like Dr. Wurster's, should see anything in war except a terrible disaster. War was bound to disrupt all his plans and to destroy all his constructive hopes. Thus, Dr. Wurster was opposed to all rumors of war. To him who had put his life in the services of reconstruction and not of destruction, war in any shape or form, was as he used to say frequently, criminal lunacy. I shall show that that was really Dr. Wurster's attitude to war: an attitude born of his



OPENING STATEMENT WURSTER

high moral character. Apart from that, Ludwigshafen, the site of the factory he directed, is close to the French frontier, so that his reason, too, told him that war must inevitably lead to the destruction of the factory which he was about to develop to the full. Thus, when war did break out in 1939, a short time after he had been appointed a member of the Vorstand of IG, nobody could have been more surprised or more dejected than Dr. Wurster. How can one accuse a man of such a character, of such a point of view of having participated in the planning, preparation and waging of aggressive war. In the eyes of any man, who is prepared to face the truth, there will be nothing left of that accusation when I have finished presenting my evidence.

The Prosecution must have had the feeling, that something more was required in the way of evidence to make a planner and initiator of aggressive war of Dr. Wurster; they have put up in this court room a diagram on which a swastika has been put against the name of Dr. Wurster, too. I shall show, Your Honors, that my client, when he had already risen to the top in the Ludwigshafen plant, categorically refused the invitation issued to him by the omnipotent Nazi Gauleiter to join the Nazi Party, that he never joined the Party voluntarily, and

OPENING STATEMENT WURSTER.

that he was summarily declared to be a member at the end of 1938 by a party order issued by the Nazi authorities. Your Honors, I shall prove that Dr. Wurster had no connection with the immoderate and destructive theories of Nazism. I shall prove that by means of the testimony of men who fought against Nazism and of others who became victims of the Nazis and further of men who made their inquiries on the spot as officers of the occupying forces. I am sure the connection between his name and the fylfot will in your eyes have been severed when this evidence has been submitted. Dr. Wurster was a friend of peace and a hater of war. He has been in the past, and is today, a man who loves progress and liberty, and who has rejected Nazism for that reason. He has been in the past, and still is, a professing Christian man, who was opposed for religious reasons alone to aggressive war and to Nazism.

In connection with Count II of the indictment the Prosecution have submitted as evidence against Dr. Wurster a draft, hurriedly dictated, of notes on his 5 day trip to Poland. They have attached to that hurriedly dictated draft of notes such importance, that it has been used in the Opening Statement for the Prosecution. It has been used in a way which shows that they were delighted



OPENING STATEMENT WURSTER.

to have found at long last a piece of concrete evidence against a man of integrity, a document which makes it appear as though he were a man whose character had been corrupted after all by the sinister influence of Nazism. The intention was to set upon him a snake with poison fangs. Through our evidence we propose to extract the venom from those fangs and to render them impotent. We shall go even farther, and prove the opposite of that which the Prosecution intended to lay to Dr. Wurster's charge with the aid of those notes. We shall show, that he felt sympathy towards those whom he met during that trip in their misery and that he, so far from playing the anti-Semite according to the construction arbitrarily put upon the notes by the Prosecution, defended during that short trip to Poland no less than during the whole of his career, not in words only but also in deeds all those who were persecuted unjustly, and therefore, the Jews who were persecuted. The evidence which we shall present to vindicate the attitude of Dr. Wurster, gives me the right to say that it would be very difficult to find, in other countries, men who would have behaved as decently towards the persecuted Jews or who would have intervened on their behalf as fearlessly in similar circumstances, as he did. A man who turns in this way against all theories of racial superiority,

OPENING STATEMENT WURSTER.

"I shall prove that he did, a man who judges his fellow-men on their merit irrespective of race or political opinions; a man who so honours and respects labor as he does, is incapable of committing what are called crimes against humanity. Granted that there were in the plant for which Dr. Wurster was responsible as a plant manager from 1936 onward foreign workers of many nations and prisoners of war. There is no doubt in my mind that I shall succeed in convincing you through the evidence we shall submit that there was nothing at all, which Dr. Wurster or anybody else (and there are quite a few people in the same position) could do about the employment of foreign workers. The totalitarian State of the Nazis, which had by its policy brought about the war, would have destroyed as a saboteur, or, as they say in totalitarian States, would have "liquidated", anybody, even Dr. Wurster, who would have refused to employ foreign workers during the war. All one could normally expect of a plant manager in his position was that he should do his utmost to make work and life as easy for these foreign workers as was possible in the circumstances. We shall show that Dr. Wurster did that



OPENING STATEMENT WURSTER.

and more than that. We shall demonstrate to you by the means of documents that officials as well as private individuals complained that foreign workers in the Badische Anilin- und Soda-Fabrik at Ludwigshafen were treated far too well, or that they were even being "pampered". Dr. Wurster did all he could to provide for these foreign workers adequate accommodations, food, and decent treatment; he issued instructions to that effect, and he saw to it, as far as that was humanly possible at all, that these instructions were carried out. We shall moreover show that everything was done to make the foreign workers feel at home. I have no intention of going into details, or of dealing with all the points raised in the evidence. As far as the treatment of the foreign workers is concerned, all those who were on the spot and who had for these foreign workers feelings rather stronger than mere sympathy are unanimously agreed that Dr. Wurster's attitude to those men was one of decency, understanding and helpfulness: it was, in short, a humane attitude.

Let the Prosecution accuse Dr. Wurster of any crime they choose: it is absolutely impossible that he ever committed an action

OPENING STATEMENT WURSTER.

which would discredit him in the eyes of honest men of any nationality. It is one of the most remarkable facts in the Case of Dr. Wurster that all the sections of the population who knew him as the head of the great Ludwigshafen plant and all the workers and employees irrespective of their political opinions or religious convictions or social position in the plant, respect, honour and love him. That I shall prove. When Dr. Wurster who had been lying, seriously ill, in a Ludwigshafen hospital, was at last transferred in an ambulance to Murnberg as a result of the inexorable pressure brought to bear upon him by the Prosecution, the official representative of the employees of the plant presented him with flowers and formed a guard of honour. More than 19,000 employees and workers of the factory went on strike for one hour in sympathy with him. We shall submit to the court the relevant documents. I do not think that I am saying too much when I claim that it would be difficult to find, not only in Germany, but in any country, relationships between employers and employees being what they are, the staff of a factory supporting a director unanimously and voluntarily



OPENING STATEMENT WURSTER...

in the way they supported Dr. Wurster. I doubt whether I have met any man in my very eventful and full life of whom it could have been said that he had no enemies. I have met such a man here, in the person of Dr. Wurster. I am almost inclined to think that Counsel for the Prosecution are his only enemies: and even they would change their opinion if they but paid heed to the words of the Rev. Marshall, provided they studied the man, and not only the documents in the case. When the American armed forces occupied the Ludwigshefen-Oppau plant in March 1945, after the collapse of the German army but prior to the cessation of hostilities in Germany, they soon formed a similar opinion of Dr. Wurster and left him in charge of the management of the factory. They made careful inquiries about Dr. Wurster on the spot, as we shall prove by means of the testimony of an American. They did not only study the documents in the case, they gained their conviction on the very spot where the truth could most easily be established, in the place where he worked. They found in Dr. Wurster a man who had disobeyed the orders of the Nazi Leviathan issued at the end of the war prior to the arrival of American troops to blow up the whole of

OPENING STATEMENT WURSTER.

the factory and to withdraw to the other side of the Rhine. They discovered that Dr. Wurster had sabotaged the order of the Nazi bosses at the risk of his own life, thus saving the important factory and the town of Ludwigshafen from ruin and destruction. That, too, I shall prove. They found in Dr. Wurster a man, who opposed all the lunacy and prevented it and averted disaster by his attitude. The American occupation authorities collaborated closely with Dr. Wurster during the time they had occupied the Palatinate and Ludwigshafen. When they left that area on 10 July 1945, to hand it over to the French occupation authorities, they expressed their regret at being unable to continue working with him. That we shall prove. We shall also prove by means of the same testimony, that Dr. Wurster and others were considered by the Americans after a thorough examination of the facts and in accordance with the experiences they had made, as "honest and honorable gentlemen upon whose word" they "could depend".

Was it not a similar opinion of Dr. Wurster which caused American authorities to offer him a good position in the United States of America a short time before this indictment was filed?



OPENING STATEMENT WURSTER.

Can all these people, the German population who know him so well, no less than American war veterans who know their job, who went into the case and who worked with him day by day, can they possibly all be wrong, and can the Prosecution be right who have nothing to show but a few miserable documents?

When the French occupation authorities took over from the Americans the occupation and, therefore, the administration of the Badische Anilin- und Sodafabrik, Ludwigshafen-Rhein/Oppau, the same thing happened. After a certain probationary period Dr. Wurster was reinstated as manager of the factory, his record having been investigated. As an exceptionally large percentage of the foreign workers and prisoners of war had been French, the French authorities of course instituted immediately an inquiry into the treatment meted out to their fellow-countrymen in the plant for which Dr. Wurster was responsible. The result of the inquiry was that the French authorities were confirmed in their faith in Dr. Wurster. When a Frenchman who was especially well qualified on account of the position he held, to make such a statement said to me when he was told that I had undertaken to defend Dr. Wurster, "Master, you are defending a good cause",

OPENING STATEMENT WURSTER.

he put into words what everybody was thinking.

Can it be that all these Americans, Frenchmen and Germans who were in immediate contact with him, are all wrong, and that the Prosecution is right who do not know him personally at all? Can it be that all these people some of whom knew him during the most trying days of all, in which a man was put to the test, were deceived by him, and that only the Prosecution who know nothing about him at all, are endowed with the acumen required to see him as he really is? One is reminded of the sentence attributed to Abraham Lincoln, "You can fool some of the people all of the time, and all of the people some of the time, but you cannot fool all of the people all of the time". In reality, nobody has been deceived with regard to Dr. Wurster, with the sole exception of the Prosecution, who have succeeded in deceiving themselves. I

It is, therefore, no coincidence that I who sacrificed my position and my fortune in the cause of the fight against National Socialism for Peace and Liberty, and who spent 14 years in exile, should undertake the defence of this man. I could undertake it safely in accordance with the wishes of those who were opponents of Nazism.



OPENING STATEMENT WURSTER.

I felt an inward urge to undertake it when I had become convinced in the course of long interviews with Dr. Wurster that he was innocent.

When, outside this court house the other day, I ran into one of my friends, a fellow lawyer, whom I had met in exile, carrying under my arm a few document books he raised his voice in surprise and said: "What, you - defending war criminals?" to which I calmly replied: "No, I am defending Dr. Wurster."

Thus, I shall sincerely seek the truth in the course of my presentation of the evidence and, finding it, shall follow it whatever the cost, knowing that it is the truth which makes men free, I am confident, Your Honours, that Truth will free my client also and that justice will unlock the doors of his cell and will restore him to life and to work, to all these countless thousands of people, who are waiting for him: to that large community of working men who wish to build with him, a better world.

- - - - -

Nurnberg, 18 January 1949.

CERTIFICATE OF TRANSLATION.

I, Fred L a x , X 046 207, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Opening Statement Dr. Wurster, pages I/ 1 - 18.

Fred L a x  
X 046 207

-18-

- End -

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 98

Target 6

Defense Opening Statements, All Defendants

(German)

NATIONAL ARCHIVES MICROFILM PUBLICATIONS



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Otto A M B R O S

German



*Defense  
Case 6*

OPENING STATEMENT

des

Rechtsanwalts Karl Hoffmann

vor dem

Amerikanischen Militärtribunal VI, Nuernberg

als Verteidiger

des

Dr. Otto Ambros.





Herr Praesident, meine Herren Richter!

Ich kann mein Opening-Statement fuer Otto A m b r o s nicht allein ausfuellen mit der Ankuendigung von Entlastungsbeweisen gegenueber den von der Anklagebehoerde vorgebrachten Behauptungen.

Meine Kenntnis von Otto A m b r o s zwingt mich dazu, Ihnen, meine Herren Richter, auch im Opening-Statement ein Bild von der Bedeutung der Arbeit dieses Mannes zu geben.

Otto A m b r o s ist aus innerer Berufung und mit Leidenschaft ein Chemiker.

Mit ihm als Chemiker ist untrennbar die gewaltige Entwicklung eines entscheidenden Teiles der modernen organischen Chemie verbunden.

Ich denke dabei an den Aufbau der ersten Fabriken zur Herstellung des synthetischen Kautschuks, an die Entwicklung der vielen neuen Kunststoffe, der Loesungsmittel und Lackharze, an die Chemie der Zwischenprodukte zur Erzeugung von kuenstlichen Farbstoffen, von Pharmazeutika und Hunderten von Chemikalien.

Diese Aufzuehlung gibt vielleicht nur dem F a c h m a n n einen genauen Begriff von dem wirklichen Umfang der Arbeit von Otto A m b r o s .

Die tatsaechliche Bedeutung seiner Arbeit in ihrer Auswirkung auf das taegliche Leben noch darzustellen, wurde den Rahmen dieses Opening-Statement jedoch uebersteigen.

Die I.G.Farbenindustrie Aktiengesellschaft, in der Otto A m b r o s nach seiner Assistentenzeit bei Richard W i l l - s t a e t t e r seine industrielle Laufbahn 1927 begann, war fuer ihn, ausschliesslich ein C h e m i e unternehmen.

Der Kaufmann und der Finanzmann konnten fuer ihn zwar den aeusseren Rahmen bieten, aber auch nur d a s , den inneren Gehalt gab fuer Otto A m b r o s die Chemie.

Otto A m b r o s wurde in der I.G. schon nach ungefaehr 10-jaehtiger Arbeit mit 36 Jahren in den Vorstand berufen. Er war damals kein Parteimitglied, noch wirkten sich sonstige Beziehungen aus.

./.

Aufgrund des Arbeitsgebietes, das Otto A m b r o s im Vorstand vertrat, blieb er auch weiterhin zwangsläufig auf Wissenschaft und Technik als einer der führenden Chemiker der organischen Chemie beschränkt.

Eine Reihe entscheidender Fachgremien innerhalb der I.G. standen unter seiner persönlichen Leitung. Für amtliche Funktionen ausserhalb seiner Firma blieb kein Raum.

Die Beweisführung wird ergeben, dass Otto A m b r o s in scharfer Abgrenzung gegenüber der totalitären Organisation des Reiches bestrebt blieb, sich die Freiheit des Wissenschaftlers und Technikers zu erhalten.

Er übte sachliche Kritik an der Überorganisation der staatlichen Lenkung, wenn sie für die Industrie unerträglich wurde.

Schon während der Anklage gab das Hohe Gericht Otto A m b r o s Gelegenheit, bei einer Cross-Examination sein Fachgebiet in der bildlichen Darstellung eines mächtigen Baumes mit vielen Ästen zu erläutern.

Ein Sachverständiger der Anklage bestätigte die Tatsache der überragenden Bedeutung, die diese moderne Chemie besonders für den Frieden hat, gegenüber den wenigen Verästelungen, die speziell der militärischen Aufrüstung dienen.

Das Beweismaterial wird diesen Eindruck vertiefen und klar herausstellen, dass Otto A m b r o s auf Gründung, Schnelligkeit und Wachstum der Betriebe, soweit sie der Aufrüstung dienen, keinen Einfluss ausübte.

Das Beweismaterial wird weiterhin zeigen, dass die drei Äste, für die man auch Otto A m b r o s verantwortlich machen will, nämlich

K a m p f s t o f f e

V o r p r o d u k t e f ü r P u l v e r

und vor allem B u n a

./.



zu Beginn des Weltkrieges II viel zu schwach waren, um einen modernen Krieg durchzuhalten, geschweige denn der Vorbereitung eines Angriffskrieges zu dienen.

Jedenfalls konnte Otto A m b r o s aus seinem Aufgabenkreis nicht schliessen, dass Hitler einen Angriffskrieg planen wurde.

Im Kriege fühlte sich Otto A m b r o s als Deutscher - und wer will ihm das veruebeln - aber er wagte trotz der intensiven Beeinflussung des einzelnen Menschen durch die Diktatur des 3. Reiches und auch in jener grauenvollen Zeit, als fast jede Woche eines seiner Werke und seine eigene Heimat von Bombenteppichen getroffen wurden, sehr ruhig ab, wo die Grenzen des moerderischen Kampfes lagen.

Gerade diesen Punkt wird die Verteidigung besonders eingehend beleuchten.

Was im Rahmen eines solch ausgefüllten Lebens, dessen Tag auch nur 24 Stunden ausmacht, noch uebrig bleibt, scheint denen bis jetzt nicht erkenntlich gewesen zu sein, die darueber hinaus noch Otto A m b r o s fuer die Vorgaenge verantwortlich machen wollen, die mit ihm als Chemiker nicht das Geringste zu tun haben.

Das leitet gleichzeitig ueber zu der Einstellung der Verteidigung zum Anklagepunkt II "Raub und Pluenderung".

Auch auf diesem Feld, wo Otto A m b r o s von der Anklage zweimal genannt wird, finden wir ihn in seiner Eigenschaft als Techniker. Ich kann mich aber kurz fassen:

Sein Wirken bei der Fuehrung der Francolor-Werke begann erst, als die Gesellschaft gegruendet war und nun die franzoesischen Fabriken arbeiten sollten.

Diese Handlungsweise von Otto A m b r o s war der Inhalt einer eingehenden Untersuchung durch den Staat, der als Betroffener hieran einen besonders strengen Masstab legen konnte.

./.

Nachdem Frankreich Otto A m b r o s nach dem Kriege als Fachmann wieder voll bestaetigte und ihn, wie ich zu gegebener Zeit erwahnen werde, in besonderer Weise herausstellte, brauche ich zu diesem Fall jetzt keine Stellung zu nehmen.

Die Angelegenheit "Buna Russland" war schon waehrend der Anklage der Gegenstand einer Beanstandung durch die Verteidigung, die wohl begruendet erschien.

Soweit die Verteidigung sich hiermit noch befassen wird, geschieht dies nur noch im Zusammenhang mit der Frage der Verschwörung, nachdem dieser Hohe Gerichtshof so entschieden hat.

Dass der Vorwurf der Verschwörung aber hinfaellich ist, wird sich aus der Gesamtdarstellung der Persoenlichkeit von Otto A m b r o s selbst ergeben.

Das Bild, das die Verteidigung im Vorstehenden von Otto A m b r o s gezeichnet hat, wird auch nicht dadurch abgewandelt, dass Otto A m b r o s scheinbar als sogenannter "Generaldirektor" der verschiedenen Werke, die er gegrundet, aufgebaut oder uebernommen hat, innerhalb der I.G. erscheint.

Otto A m b r o s war technischer Direktor und dabei immer Chemiker geblieben.

Daran moege in diesem Court immer wieder erinnert werden.

Die menschlichen Seiten der Betriebe, in denen er leitend oder beratend eingriff, klangen fuer ihn immer an, und er half auch sofort, wenn er um Unterstuetzung angesprochen wurde.

Er konnte sich aber bei der Fuelle seiner akuten Aufgaben der Forschung, Entwicklung und Technik seiner Werksgruendungen darauf verlassen, dass die dafuer Verantwortlichen und die Maenner seines Vertrauens ihre Aufgaben erfuehlen.

Mehr von Otto A m b r o s zu verlangen, liegt weder im Rahmen des Moeglichen, noch des Menschlichen.

./.



Diese Gedanken leiten ueber zu dem Anklagepunkt III, den die Anklage ganz kurz und lapidar als Sklavenarbeit bezeichnet.

Mit aller Entschiedenheit muss der Vorwurf der Beteiligung von Otto A m b r o s an einem Programm der Organisation und Ausbeutung von Sklavenarbeit zurueckgewiesen werden.

Die Beschaffung von Arbeitskraefte gehoerte nicht zu seinem Aufgabenbereich.

Sie wurde staatlich gesteuert und war in ihren einzelnen Auswirkungen von den verschiedensten Umstaenden und Stellen abhaengig.

Es unterliegt keinem Zweifel, dass Otto A m b r o s und alle seine Mitarbeiter in jedem Fall die Beschaeftigung freiwilliger deutscher Arbeiter vorgezogen haetten. Die Entscheidung jedoch, ob das moeglich war und was dann tatsaechlich geschah, lag nicht bei ihm oder seinen Werkedirektoren.

Die Frage, ob er den Einsatz von Fremdarbeitern oder Kz-Haeftlingen haette verhindern koennen, ist zu verneinen. Sie ist ausserdem so lange moessig, als noch nicht einmal feststeht, dass die Beschaeftigung von Zwangsarbeitern und Haeftlingen durch die Werke ueberhaupt an sich ein Verbrechen darstellt.

Wo sie durch die Haager Landkriegsordnung und die Genfer Konvention verboten war, naemlich in Fabrikationsstaetten, die Mittel zur Kriegsfuehrung gegen ein Land herstellten, dem die eingesetzten Arbeiter angehoeerten, hat eine solche Beschaeftigung mit Wissen und Willen von Otto A m b r o s niemals stattgefunden.

Ich habe oben bereits ausgefuehrt, dass Otto A m b r o s dort, wo er nach der menschlichen Seite hin angesprochen wurde, seine Hilfe niemals versagt hat.

In dieser Richtung wird die Verteidigung aufzeigen, wo Otto A m b r o s ueberall geholfen hat.

Mit berechtigtem Stolz wird Otto Ambros die Bilder der Werke

./.

zeigen, die ihm ueberreicht wurden und die auch einen Begriff von der menschlichen Seite dessen geben, was er als Chemiker technisch betreute und schuf.

Mit aller Entschiedenheit wird sich die Verteidigung dagegen wehren, dass die, wie wir heute wissen, grauenvollen Vorgaenge in den Konzentrationslagern von Auschwitz und Birkenau in Zusammenhang gebracht werden mit dem Aufbau des I.G.-Werkes bei Auschwitz.

Fuer die Auswahl des Standortes des I.G.-Werkes oestlich von Auschwitz sind allein technische Umstaende massgebend gewesen.

Fuer die Personlichkeit des Angeklagten Otto A m b r o s bedeutet es eine tragische Verkennung der Gesamtzusammenhaenge, dass die Anklage versucht, in perspektivischer Verzerrung seine wissenschaftlichen und technischen Grosstaten unter dem Blickpunkt der Vorbereitung eines Angriffskrieges, von Raub und Fluenderung oder des Fremdarbeiter- und Haeftlingseinsatzes zu sehen.

Zum Bunteil des Werkes Az hat Otto A m b r o s auch heute noch das Verhaeltnis des Chemikers aus Passion zu seiner Schoepfung und fuer ihn standen bei der Gruendung dieses Werkes die gleichen Erwaegungen und Probleme im Vordergrund, die heute die Polen bestimmen, es ohne, dass sich ein Konzentrationslager dort befindet, wieder aufzubauen.

Welchen ethischen und wissenschaftlichen Traditionen der Chemiker Otto A m b r o s und seine technischen Kollegen sich in ihrem Schaffen verpflichtet fuehlten, wird dem Hohen Gerichtshof meine Anlage zu diesem Opening Statement zeigen, die eine zusammenfassende Darstellung der auch von General Taylor in seiner Anklagerede hervorgehobenen Pionierleistungen des Chemieunternehmens I.G. gibt.



### Pionierleistungen der Werke der I.G. Farbenindustrie.

Im gegenwaertigen Prozess der Vereinigten Staaten von Amerika gegen eines der groessten Industrieunternehmen der Welt, die I.G. Farbenindustrie, fiel auf Seiten der Anklage das Wort von "pervertierten Chemikern".

Diese Anschuldigung gegen ein Gremium erstrangiger Wissenschaftler und Techniker kann ihre Erklaerung nur in den Schwierigkeiten finden, das chemische Denken zu verstehen. Das sei an einem einfachen Experiment erlaeutert:

Natrium, ein wachsweches Metall, leichter als Wasser, reagiert mit Wasser unter Feuer- und Explosionserscheinungen.

Chlor ist ein gelb-gruenes alles organische Leben zerstörendes Gas und wurde wegen dieser Eigenschaft im Weltkrieg I als erster chemischer Kampfstoff verwendet.

Die Verbindung dieser beiden aggressiven Elemente ergibt jedoch nichts anderes als unser harmloses Kochsalz,

Diese besondere Struktur der Chemie bedingt Arbeitsweise und Forschungsmethode des Chemikers, ohne deren Beruecksichtigung es un-verstaendlich bleibt, warum die chemische Industrie in zwangslaeufiger Folgerichtigkeit auch Produkte hervorbrachte, deren Entwicklung ihr heute zum Vorwurf gemacht werden.

Seidem im zweiten Viertel des vorigen Jahrhunderts klarere Erkenntnisse vom Aufbau der belebten Natur undeutliche Vorstellungen

uober den Zusammenhang zwischen Leben und Materie abloesten, war der Bann gebrochen, der bis dahin die freie Entfaltung der chemischen Wissenschaft entscheidend gehemmt hatte. Die neuen Erkenntnisse fuehrten bald zur Aufklaerung einer Reihe von Naturprodukten, die der Mensch schon jahrhundertlang in seinen Dienst gestellt hatte und die er nun hoffen durfte, auch ausserhalb der natuerlichen Wachsturszelle und unabhaengig vom Rhythmus des Werdens und Vergehens der belebten Natur herstellen zu koennen.

Zu den schoensten Ergebnissen aus der Fruchzeit dieser neuen Entwicklung zaehlt die Herstellung von kuenstlichen Farbstoffen, an ihrer Spitze Alizarin und Indigo. Fast zwanzig Jahre lang mussten die Chemiker der Badischen Anilin- und Sodafabrik in Ludwigshafen am Rhein im Wettbewerb mit denen der Hoechst-Farbwerte mit der Aufgabe ringen, Indigo schoener und billiger kuenstlich herzustellen, als ihn die Natur in der Zelle einiger Pflanzen darbot. Die Aufgabe wurde geloeset. Der natuerliche Indigo sank in Vergessenheit.

In diesem Falle hatte der Mensch das Naturprodukt nur nachgeahmt, seinen inneren Bau genau nachgebildet. Bemerkenswerter noch waren seine Erfolge in der voelligen Neuschoopfung von Farbstoffen, fuer die die Natur keinerlei Vorbild lieferte.

So gingen in Laufe etwa eines halben Jahrhunderts aus den Laboratorien und Fabriken der nachmaligen I.G. Tausende von neuen Farbstoffen in die Welt.

Sie uebertrafen an Schoenheit und Leuchtkraft, an Mannigfaltigkeit und Bestaendigkeit die etwa zwei Dutzend vorher bekannten und verwendeten natuerlichen Farbstoffe in solchem Masse, dass heute in der zivilisierten Welt so gut wie kein natuerlicher Farbstoff mehr verwendet wird.

Das weltbekannte Warenzeichen der Indanthrenfarbstoffe ist hierfuur das Symbol.



Ein weiteres Anwendungsfeld zur Steigerung der Lebensfreude bietet sich hier dem Chemiker auch auf dem Gebiet der kuenstlichen Edelsteine, des Farbfilms, Produkte, die gerade der grossen Masse der Menschheit zu Gute kommen. Der Agfa-Colorfilm sieht seine Aufgabe nicht nur in der Erlebnis steigernden Wirkung auf den Kinobesucher, sondern er soll durch die wirklichkeitgetreue Wiedergabe von Vorgaengen in der Natur, von Meisterwerken der Kunst, in steigendem Masse Anregungen fuer die Natur- und Kunstwissenschaft geben.

Ein zweites Kennzeichen fuer T.G.-Produkte hat Weltgeltung erlangt: das Bayerkreuz, als Zeichen fuer Heilmittel.

Im Jahre 1888 beschloss man in den damaligen Farbenfabriken Friedrich Bayer & Co., Elberfeld, der Farbenfabrikation die Herstellung von Heilmitteln anzugliedern. Welche Beziehung hatte sich zwischen diesen beiden, scheinbar wesensfremden Arbeitsgebieten dieser Fabrik hergestellt?

Ebenso wie die Farbstoffe hatte bis dahin der Mensch die meisten Heilmittel ausschliesslich aus der Pflanzen- und Tierwelt gewonnen. Stellten sie das beste dar, was er fuer seine Zwecke brauchte? Der Chemiker hatte sich inzwischen das Recht erworben, diese Frage zu verneinen. In der Tat waren zahlreiche dieser Produkte, wie das Opium, das Morphinum und das Cocain fuer den menschlichen Koerper schwere Gifte, die neben ihrer schmerzlindernden oder heilenden Wirkung tiefgreifende Schaedigungen anderer Art hervorriefen.

Die intensive Beschaeftigung mit den zahlreichen, hauptsächlich im Dienste der Farbstoffforschung neu geschaffenen chemischen Verbindungen, das inzwischen weit fortgeschrittene Wissen um ihren inneren Aufbau und die gewonnenen Erfahrungen bei ihrer methodischen Herstellung berechtigten die Chemiker zu der Arbeitshypothese, dass sich auch Arzneimittel chemisch herstellen lassen muessten und dass sie in ihrer spezifischen Wirkung auf den kranken Koerper viel geeigneter sein koennten als die natuerlichen, meist aus zahlreichen Einzelverbindungen bestehenden Drogen. Die damals vom Werk Elberfeld ausgehende systema-

tische Arzneimittelforschung hat zweifellos entscheidend dazu beigetragen, dass sich in den letzten funfzig Jahren das durchschnittliche Lebensalter des Menschen um fast zwanzig Jahre erhoeht hat. Mit dazu beigetragen haben auch die Erzeugnisse der T.G. auf dem Gebiete der Impfstoffe, Hormonpraeparate und Vitamine.

Aspirin und Pyramiden, Gardan und Cogpral, Evisan, Luminal und Veronal, Novalgin und Novocain haben Millionen von Menschen der ganzen Erde Genesung und Schmerzlinderung verschafft.

In engem Zusammenhang hiermit steht die Chemotherapie. Als einem Teilgebiet der Medizin faellt ihr die Aufgabe zu, die Bakterien und andere Kleinstlebewesen im menschlichen Koerper mit chemischen Mitteln zu bekampfen und so die von ihnen verursachten Krankheiten zu heilen. Die Schwierigkeiten der hier zu loesenden Aufgabe leuchten ein, wenn man sich vergegenwaertigt, dass es hier gilt, Lebewesen abzutoen, die aehnlichen Lebensgesetzen unterworfen sind wie die Zellen des menschlichen Koerpers. Es galt also, die Bakterien zu vernichten, ohne die Koerperzellen zu schaedigen. Das gestellte Problem schien unloesbar.

Systematische Beobachtungen und ihre folgerichtige Auswertung fuehrten aber zum Ziel. "Welches Aufsehen und welche Begeisterung die Einfuehrung des Salvarsan in die aerztliche Praxis geweckt hat, kann nur der begreifen, der weiss, wie langwierig und unvollstaendig die Behandlungsmoeglichkeiten der Syphilis vorher waren. "

Groesste Erfolge hatte die Chemotherapie auch im Kampfe gegen die Tropenkrankheiten. Die fast ueber die ganze Welt verbreitete Malaria, an der nach statistischen Feststellungen allein 700 Millionen Menschen jaehrlich erkranken und zwei Millionen Menschen jaehrlich sterben, hat nicht ausgerettet werden koennen, obwohl seit 300 Jahren Chinin, das einzige gegen die Malaria einigermaßen wirksame



Mittel, angewendet wurde. Die Nebenwirkungen des Chinins verursachen zudem noch schwerwiegende Schädigungen des menschlichen Körpers und 50 bis 70% der mit Chinin behandelten Malaria-kranken erleiden Rückfälle.

Hiergegen sei die Wirkung der I.G.-Präparate Atebrin und Plasmochin an einem Zahlenbeispiel gezeigt: Auf den Plantagen in Malacca waren noch im Jahre 1930 von 23 000 Menschen 3 500 Malaria-krank, von denen 60 starben. Durch systematische Anwendung der genannten Heilmittel der I.G. ging bis zum Jahre 1934 die Zahl der Erkrankungen auf 870, also um 75%, und die der Todesfälle auf 13, also um 78%, zurück.

Eine andere verheerende Tropenseuche ist die Schlafkrankheit. Z.B. wurden von der 40 000 Köpfe zählenden Bevölkerung eines der Stämme in Uganda (Afrika) innerhalb von zwei Jahren 20 000 Menschen durch die Schlafkrankheit dahingerafft. Die Engländer mussten die restlichen 20 000 Eingeborenen schleunigst umsiedeln, wenn nicht der ganze Stamm dem sicheren Untergang verfallen sollte.

Nach jahrelangen Bemühungen in den Laboratorien der I.G. wurde im Germanin (Bayer 205) das Mittel gefunden, das die Erreger der Schlafkrankheit im Blut vernichtet. Welche Bedeutung dieser Entdeckung, besonders im Ausland beigemessen wurde, zeigt die Feststellung des englischen Biologen Huxley der Universität Oxford, der schrieb: "Die Entdeckung des deutschen Germanin ist für die Alliierten wahrscheinlich viel wertvoller als sämtliche von ihnen ursprünglich geforderten Reparationen."

Gegen die hauptsächlich in Indien und China grassierende Seuche, die Kala-azar (schwarze Krankheit) brachte die I.G. das Neostibosan heraus, das diese Krankheit im Verlaufe einer Behandlung von nur einer Woche unter Vermeidung aller bei früher angewandten Präparaten auftretenden Nebenwirkungen zum Abklingen bringt. Nicht minder verheerend - besonders für Ägypten - ist eine "Bilharzia" genannte Erkrankung, von der unter 14 Millionen Einwohnern 10 Millionen befallen

wurden. Der damalige König von Aegypten Fuad erteilte in Würdigung der grossen Bedeutung eines von der I.G. gegen diese Krankheit gefundenen Mittels die Erlaubnis, ihm den Namen "Fuadin" zu geben.

Ebenso hatte man bis zur Entdeckung des Prontosil und Uliren durch Chemiker der I.G. noch kein wirksames Mittel gefunden zur Bekämpfung von Kokkeninfektionen, zu denen u.a. das gefürchtete Minderbottfieber gehört. Es ist daher begreiflich, dass die Ärzteschaft der ganzen Welt dieses neue Mittel sofort mit grosser Begeisterung aufnahm. In wenigen Jahren erschienen hunderte von wissenschaftlichen Abhandlungen über Anwendung und Wirkung dieses neuen Präparates. Die für ein neues Medikament reichlich vorgesehenen ersten Herstellungsanlagen in Elberfeld und Leverkusen erwiesen sich nach kurzer Zeit als völlig unzulänglich, so stürmisch entwickelte sich die Nachfrage aus allen Ländern der Welt.

In die gleiche Forschungsrichtung weisen die Arbeiten der I.G. auf dem Gebiet der Bekämpfung von Schädlingen mit chemischen Mitteln. Die ausserordentliche Bedeutung dieser Arbeiten kommt in dem Schlagwort zum Ausdruck "der Mensch erntet nur, was ihm die Schädlinge übrig lassen". Von den Schädlingen wird nicht nur unsere Nahrung, sondern auch unser Hausrat, unsere Bekleidung und unsere Gesundheit bedroht.

Ein neuer Abschnitt beginnt mit der Entwicklung der technischen Katalyse, die wohl die nachhaltigste Wirkung auf die Gestaltung unseres Daseins ausgeübt hat und noch weiter ausübt.

An seinen Anfang steht die technische Verantwortung des Luftstickstoffs nach dem HABER-BOSCH - Verfahren.



Schon im Jahre 1898 hielt Sir William Crookes vor der British Association in Bristol eine Rede vor chemischen, landwirtschaftlichen und militaerischen Sachverstaendigen, in der er u.a. sagte: "Die Weizenerte der Welt haengt von Chiles Salpeterlagerstaetten ab; eine Welthungersnot ist unvermeidlich, wenn es nicht gelingt, kuenstlich den Stickstoff der Luft in Form von Duengemitteln zu bannen." Und weiter: Die Frage der Stickstoffbindung ist eine Frage auf Leben und Tod fuer die kommende Generation".

In dieser Feststellung ist die Bedeutung des Problems fuer die ganze Menschheit angedeutet. Stickstoff steht zwar in unbegrenzter Menge zur Verfuegung, da er ca. 80% der atmosphaerischen Luft ausmacht, in dieser Form kann ihn aber die Pflanze nicht verwerten. Er muss zuvor mit anderen Elementen chemisch verbunden und so in Stoffe umgewandelt werden, die, wie man schon lange vorher wusste, unentbehrliche Nahrungsalze der Pflanzen sind. Derartige Salze bzw. chemische Verbindungen sind z.B. das Salz des Ammoniaks mit Salpetersaeure, die beide Stickstoffverbindungen sind und der Harnstoff. Nun ist aber die Salpetersaeure gleichzeitig die Grundsubstanz fuer die Herstellung fast aller hochwirksamen Sprengstoffe und so kommt es, dass die lebenspendende Industrie der stickstoffhaltigen Duengemittel sich mit der lebenvernichtenden Industrie der Sprengstoffe eng beruehrt. Es gibt fuer diese beklagenswerte Tatsache keinen ueberzeugenderen Beweis als die furchtbare Katastrophe, von der in der Fruehzeit der Ammoniak-Synthese das Werk Oppau der Badischen Anilin- und Soda-Fabrik heimgesucht wurde, wo ein Duengemittelsilo explodierte und unter Zertruemmerung fast des ganzen Werkes 561 Menschen ihr Leben verloren.

Die Badische Anilin- und Soda-Fabrik hatte, als sie unter Anspannung aller Kraefte kurz vor dem ersten Weltkrieg das ausserordentlich schwierige Problem der technischen Gewinnung von Stickstoffverbindungen aus der Luft loeste, ausschliesslich die friedliche Verwertung ihrer Erfindung im Auge. Dass diese genuegenden Anreiz bot, leuchtet ein, wenn man weiss, dass Deutschland allein

im Jahre 1931 775.000 to Chilosalpeter in Werte von 171 Millionen Mark einführen musste.

Der Begründer des technischen Verfahrens, Carl Bosch, wurde im Jahre 1932 mit dem Nobel-Preis ausgezeichnet. Diese Tatsache ist insofern besonders bemerkenswert, als das Nobelpreis-Comite hier zum ersten Male einem Mann der Technik die hohe Auszeichnung verlieh, die bisher nur Maennor der Wissenschaft erhalten hatten.

Die technische Durchbildung der Ammoniak-Synthese nach HABER-BOSCH stiess gleichzeitig ein Tor zu neuen, ungeahnten Möglichkeiten auf. Zum ersten Male hatte man mit dieser Synthese chemisch-technische Probleme gelöst, deren erfolgreiche Bearbeitung vorher fuer unmöglich gehalten werden musste. Man hat durch sie gelernt, chemische Reaktionen unter einem Druck von mehreren 100 Atmosphaeren und bei Temperaturen nahe der Rotglut im groessten Masstabe durchzufuehren. Man hatte weiter gelernt, Metallegierungen, Apparate und Armaturen zu entwickeln, die diesen extremen Beanspruchungen auf die Dauer standhalten und schliesslich hatte man reiche Erfahrungen auf dem Gebiete der Katalyse und der Messtechnik gesammelt, die vorher in die chemisch-technische Praxis nur wenig Eingang gefunden hatten.

Das Zusammenwirken aller dieser Einzelmomente kam in der Folgezeit durch die stuermische Entwicklung einer Reihe von neuen chemischen Gro-ssprodukten zum Ausdruck, an ihrer Spitze die des Methanols, des synthetischen Benzins und des synthetischen Kautschuks.

Die Bedeutung des M e t h a n o l s als solches ist wenig augenfällig. In seinen chemischen Folgeprodukten spielt es jedoch im taeeglichen Leben eine aussergewoehnlich wichtige Rolle. Ein grosser Teil der Kunststoffe, Lackharze, Loesungsmittel, Gerbstoffe u.a., wichtiger Verbrauchsgueter gehen auf das Methanol als einer hierfuer unentbehrlichen Komponente zurueck.



Zwar bestanden schon vor der Durchbildung der technischen Methanol-Synthese der I.G. Herstellungsmöglichkeiten fuer diesen wichtigen Grundstoff, doch waren sie sehr begrenzt und daher die Produktion gering und das Methanol teuer. Erst die Methanol-Synthese der I.G. schuf gemuegend grosse Mengen zum notwendig billigen Preis. Wie die Ammoniak-Synthese wurde auch die Methanol-Synthese zuerst im Werk Ludwigshafen der I.G. Farbenindustrie entwickelt. Heute wird sie in vielen grossen Industrielaendern nach den Patenten der I.G. ausgeuebt.

Ammoniak- und Methanol-Synthese gehoeren zur Gruppe der Hydrierungsprozesse, worunter der Chemiker Prozesse versteht, bei denen Wasserstoff an andere Stoffe chemisch gebunden wird. Dem Laien ist dieser Zweig der chemischen Verfahrenstechnik vor allem durch die Kohlehydrierung bekannt geworden, die sinnfaelliger meist Kohle-  
v e r f l u e s s i g u n g genannt wird.

Die Geologen und die Fachleute der erdoelgewinnenden und -verarbeitenden Industrie wissen, dass sich die Erdoelvorraeate auf der ganzen Welt in beaengstigendem Tempo ihrer Erschoepfung naehern. Es gehoert deshalb zu den Aufgaben der Forschung und der Technik, rechtzeitig nach Auswegen aus dieser bedrohlichen Lage zu suchen.

Bei einer Bewertung der Benzin-Synthese kann derueber hinaus heute auch die Frage bejaht werden, die jede chemische Synthese aufwirft, ob naemlich das synthetische Produkt mehr leisten kann als das natuerliche. Gewisse synthetische Treibstoffe sind in bezug auf besonders hohe Wirkungsgrade, die die modernen Hochleistungsmotore, z.B. bei Flugzeugen voraussetzen, dem Zufallsprodukt ueberlegen, welches die Natur aus animalischen und vegetabilischen Resten durch gewisse Umformungsprozesse im Laufe der Erdgeschichte erzeugt hat.

Die Leistungen der I.G. auf diesem Gebiet beruhen in der Bewaeltigung der ungewoehnlichen Schwierigkeiten, die sich bei der Umsetzung der Laborversuche in grosstechnische Anlagen ergaben sowie in der Einfuehrung der Katalyse in diesen Prozess. Diese gewaltige Aufgabe war nur zu loesen im verpflichtenden Bewusstsein der Pioniertradition der

I.G.-Werke und mit den Erfahrungen und dem Können ihrer Chemiker und Techniker.

Das Nobel-Comite sah die Zusammenhänge richtig, als es 1932 neben Bosch auch Bergius den Nobel-Preis zuerkannte, der durch seine ersten grundlegenden Arbeiten wissenschaftlich den Weg von der Kohle zum Benzin gewiesen hatte.

Aus dem gleichen Gedanken- und Aufgabenkreis gehen die Versuche hervor, Kautschuk synthetisch herzustellen, nur das technische Problem war anders. Die Schwierigkeiten lagen hier im innerstrukturellen Aufbau des hochkomplizierten Kautschukmolekuls.

Die chemisch-physikalische Forschung nimmt an, dass das grosse Kautschukmolekuel sich aus Hunderttausenden von Isoprenmolekülen aufbaut. Sie alle ordnen sich in langen Ketten an, die ihrerseits parallel zueinander in einem Buendel zusammengefasst sind. Die Ketten liegen im Raum nebeneinander wie Bleistifte, die in einen Buendel zusammengehalten werden, aber sich gegenseitig verschieben lassen. In dieser, wenn auch beschränkten Beweglichkeit liegt ein erklärendes Bild fuer die Elastizität des Kautschuks. Es wird noch bestimmter, wenn man ergaenzend die Vorstellung vertieft, dass diese langen Ketten mit einigen wenigen losen Haechen untereinander verknuepft sind.

Wenn man also Kautschuk kuenstlich herstellen will, dann muss man erst die Kettenglieder schaffen, die sich dann auch zum Aufbau eignen. Fuer dieses Ziel fand die Chemie viele Wege. Diese Ausgangsstoffe muessen dann noch sinnvoll verbunden werden, um den Stoff zu bekommen, der dem natuerlichen Kautschuk am aehnlichsten oder sogar in seinen Eigenschaften noch ueberlegen ist.

Da der Chemiker hier in Wettbewerb mit der Schoepfung der Natur steht, hat er auch eine Arbeitsweise entwickelt, wie sie wohl auch in der pflanzlichen Zelle vorkommt. Es ist sicher zu verstehen, dass in der Auswahl der Kettenglieder und in der Beeinflussung des Verknuepfens dieser Kettenglieder



auch die Möglichkeit des Züchtens besonderer Qualitäten liegt, die dann zu den verschiedensten Sorten führen musste.

Technisch bedingte so die Kautschuksynthese den Ausbau und die Kombination neussorst schwieriger und mehrstufiger Verfahren. Die I.G. vollzog einen entscheidenden Schritt auf dem Weg zur synthetischen Kautschuk, als sie 1928 die Mischpolymerisation erfand, die erst zu einer stabilen Milch führte, die dem Latex des Naturkautschuks gleicht.

Um die Bedeutung der Kautschuksynthese voll zu ermessen, darf nicht übersehen werden, dass auch das Naturprodukt erst durch einen chemischen Prozess, nämlich die Einwirkung von Schwefel und anderen Zusatzstoffen bei höherer Temperatur die Eigenschaften erhält, die es zum hochwertigen Reifenmaterial machen. Ob das synthetische Produkt das natürliche verdrängen kann, so wie der natürliche Indigo durch den künstlichen Farbstoff ersetzt wurde, wird davon abhängen, ob es sich zu einem billigeren und in jeder Beziehung besseren Stoff entwickeln lässt. Das ist durchaus wahrscheinlich. Auf spezielleren Anwendungsgebieten hat schon heute das oelfeste Perbunan der I.G. das gegen Öle und Treibstoffe nicht widerstandsfähige Naturprodukt in den Schatten gestellt.

Auf weite Sicht gesehen bietet zudem die Fabrikation von synthetischem Kautschuk die Möglichkeit, riesige Kautschukplantagen zum Anbau von Nachrpflanzen freizugeben und eine Ausbeutung von Arbeitskräften zu unterbinden, die mit der mühseligen Zapfarbeit bei niedrigsten Löhnen verbunden ist.

Nachdem nun Länder wie Amerika und Russland in grössstem Massstab die industrielle Herstellung von synthetischem Kautschuk aufgenommen haben, dürfte kaum ein Zweifel bestehen, dass der einmal erfolgreich beschrittene Weg nicht mehr verlassen werden wird.

Amerikanische Kreise haben unser Zeitalter - wohl in Anlehnung an die Bezeichnungen Steinzeit, Bronzezeit, Eisenzeit - das Zeitalter der "Kunststoffe" genannt. Wiewohl diese Bezeichnung in ihrer Verallgemeinerung vielleicht zu weit geht, so ist doch nicht zu

verkennen, dass die Kunststoffe in den letzten Jahrzehnten eine Entwicklung genommen haben, die in steigendem Masse die menschliche Lebensführung beeinflusst.

In dem Masse, wie sich die Kenntnisse des Menschen von der inneren Struktur der Materie erweiterten und wie seine Mittel und Methoden vollkommener und vielseitiger wurden, ging auch die chemische Technik in der Erzeugung neuer Materialien immer mehr in die Breite.

Die neuere Entwicklung weist immer deutlicher in die Richtung der Totalsynthese aus den chemischen Grundelementen und einfachen chemischen Verbindungen, denen man auf dem Wege der Polykondensation oder Polymerisation die allen Kunststoffen eigentümliche hochmolekulare Struktur gibt. Es leuchtet ein, dass man es hier wegen der praktisch unbegrenzten Möglichkeiten in der Wahl der Ausgangsstoffe und der Methoden in der Hand hat, den Endprodukten jede gewünschte Eigenschaft zu verleihen, um sie den Bedürfnissen des Menschen optimal anzupassen.

Am Ausbau dieses ausgedehnten Gebietes sind alle Industrielaender der Erde, in den letzten zwei Jahrzehnten ganz besonders stark die Vereinigten Staaten, beteiligt. Es sei hier vor allem an die Chemie der Superpolyamide erinnert, deren markantester Vertreter, die Nylon-Faser, wegen ihrer uebertragenden Eigenschaften tiefgreifende Wirkungen, namentlich auf die Textilindustrie, ausueben wird.

Die Kunststoffe der I.G. Farbenindustrie beruhen hauptsächlich auf Acetylenbasis - Produkte, wie Polyvinylchlorid, Polyvinylacetat, Polyacrylester, Polyvinyläther und Polystyrol haben in den verschiedenartigsten Modifikationen Eingang in zahlreiche Anwendungsbereiche gefunden und sind aus Technik und Haushalt nicht mehr wegzudenken. Der Ausbau der Chemie des Acetylens und Äethylens hat die aliphatische Chemie in den letzten zwei Jahrzehnten ungeheuerlich erweitert. Ihr stehen heute die Erfahrungen und Werkzeuge der Katalyse und Hochdruck-



technik zur Verfügung, welche eine Schule Carl Bosch geschaffen hat und als grösstes Erbe ihren Schülern zur Auswertung auf neuen Feldern der Chemie hinterliess.

Diese hervorragenden Verdienste hat auch die Wissenschaft anerkannt, indem sie einen der führenden Chemiker der I.G. für diese speziellen Leistungen auf Anregung eines Wissenschaftlers von Weltruf mit der Verleihung des Doctor honoris causa auszeichnete. Die Verleihungsurkunde bringt es mit den Worten zum Ausdruck:

"Die Fakultät ehrt dadurch seine hervorragenden Verdienste um die Förderung der chemischen Technik auf makromolekularem Gebiet, um die Einführung von neuen Polymerisationsprozessen und um die Entwicklung der Kunststoffe und des Buna."

Zusammenfassend sei nur eine Tatsache in der Erinnerung wachgerufen, weil sie dokumentarischen Charakter trägt: 1937 findet in Paris die grosse internationale Ausstellung "Kunst und Technik im modernen Leben" statt. Ein internationales Preisrichterkollegium beurteilt die Leistungen der Länder und ihrer Aussteller. Die I.G. Farben erhielt allein neun höchste Auszeichnungen (Grands Prix):

- 1) für ihre Indanthrenfarbstoffe,
- 2) für ihr Prontosil, das wirksamste Mittel zur Bekämpfung von Kokkeninfektionen,
- 3) für ihr Hochdruckverfahren zur Gewinnung von Benzin aus Kohle,
- 4) für ihren Buna,
- 5) für ihre Vistra-Faser,
- 6) für ihr Cellophan,
- 7) für ihr Leichtmetall "Hydronalium".

- 8) fuer ihr "Eulan", das wirksamste Mittel zum Schutze von Geweben gegen Mottenfrass.
- 9) fuer ihren Farbfilm "Agfa-Color-Neu" und ihre Schmelzfilmgeraete.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Ernst B U R G I N

German



Refence  
Case 6

Eröffnungsansprache

des Rechtsanwalts Dr. Werner Schubert

Verteidiger

des Angeklagten Dr. Ernst BUERGIN

Fall 6

Militär Tribunal VI



*Heim.*



Hohes Gericht!

I.

Der Angeklagte Dr.BUERGIN hat den Zusammenbruch des sogenannten Dritten Reiches an seiner Arbeitsstaette in Bitterfeld erlebt. Bitterfeld, das in der Sowjet-Zone liegt, wurde damals von amerikanischen Truppen besetzt. Die amerikanische Besatzung war natuerlich darueber orientiert, dass sich in Bitterfeld ein grosses Werk der I.G. befand. In Begleitung der Truppe kamen amerikanische Spezialisten und Verwaltungsbehoerden, die sofort an Ort und Stelle die technischen Einrichtungen und insbesondere auch die Verhaeltnisse der Fremdarbeiter untersuchten. Das Ergebnis dieser Untersuchungen war, dass mein Mandant Dr.BUERGIN nach Ausfuellung eines der ueblichen Fragebogen unbelastet und unbeanstandet blieb und keinerlei Einschraenkungen hinsichtlich seiner Freiheit unterworfen wurde. Er erhielt sogar von den Besatzungsmachten die Erlaubnis, Deutschland zu verlassen, eine Erlaubnis, die bekanntermassen heute nur in den allerseltensten Faellen erteilt wird. Dr.BUERGIN begab sich zu einer seit langer Zeit mit der I.G. befreundeten Firma in Frankreich, die gleichfalls offenbar an seinem Verhalten nichts zu beanstanden fand und ihn in ihre Dienste stellte. Dort konnte Dr.BUERGIN bis zum Sommer 1947 in seinem Fach wirken und arbeiten. Nachdem bereits die Anklage in diesem Prozess allgemein zugestellt worden war, wurde Dr.BUERGIN auf Veranlassung der hiesigen Anklagebehoerde in Frankreich verhaftet. Gegen seine Auslieferung konnte er praktisch keinerlei aussichtsreiche Schritte unternehmen, da ihm in Frankreich die Mittel fuer die Beauftragung eines Anwaltes fehlten. Er wurde nach Nuernberg gebracht, und erst dort wurde ihm die vollstaendige Anklage ueberreicht, nachdem er vorher in Aix-en-Provence mit dem Anklagevorwurf

der sogenannten Sklavenarbeit und der angeblichen Mitarbeit im Vierjahresplan bekanntgemacht worden war. Er wurde verhaftet, angeklagt und vor Gericht gestellt, ohne vorher irgend eine Möglichkeit gehabt zu haben, zu dem Vorbringen der Anklage Stellung zu nehmen, sich zu entlasten und die Vorwürfe der Anklage zu widerlegen. Hierdurch ist Dr. BUERGIN in ein Verfahren einbezogen worden, obwohl nach dem jetzt vorgelegten Anklagematerial spezielle Belastungen, welche die ungeheuerlichen Anklagevorwürfe rechtfertigen könnten, in keiner Weise dargetan sind. Es drängt sich somit die Vermutung auf - und auf Vermutungen ist die Verteidigung in diesem Prozess hinsichtlich der Würdigung des Anklagematerials in hohem Masse angewiesen -, dass Dr. BUERGIN weniger auf Grund spezieller Belastungen vor diesem Hohen Gericht verantwortlich gemacht worden ist, sondern im wesentlichen auf Grund der Tatsache, dass er ein Vorstandsmitglied der I.G. war.

Die Anklage hat im Eröffnungsplädoyer die Frage der strafrechtlichen Gesamtverantwortung des Vorstandes aufgeworfen und naturlich bejaht. Dieses Eröffnungsplädoyer ist nicht geeignet, eine so schwierige Frage zu vertiefen. Ich möchte aber betonen, dass eine so schwerwiegende und aussergewöhnliche rechtliche Konstruktion nur dann überhaupt in Erwägung gezogen werden kann, wenn bestimmte Mindestanforderungen von der Anklage bewiesen sind. Dazu würde gehören, dass überhaupt Mitglieder des Vorstandes Verbrechen begangen haben, zu deren Aburteilung dieses hohe Gericht zuständig ist, dass die hieran nicht beteiligten Mitglieder des Vorstandes von dem vollen Tatbestande dieser Verbrechen zustimmend Kenntnis nahmen und dass sie die Möglichkeit hatten, die Fortführung solcher Verbrechen zu



verhindern, es aber nicht taten. Es kann meines Erachtens keine Rede sein, dass die Anklage einen derartigen Beweis gefuehrt hat.

Wenn man von dieser zwar konstruktiv interessanten, aber praktisch unanwendbaren Gesamtverantwortlichkeit des Vorstandes absieht, so scheinen die Anklagepunkte 1 und 5 ihre rechtliche Begrueundung bei Dr.BUERGIN im wesentlichen in der Bestimmung des Art.II 2 f des Kontrollratsgesetzes zu suchen, da er eine gehobene Stellung im industriellen und wirtschaftlichen Leben Deutschlands inne hatte.

In dem eingehend begruendeten Antrage der Mehrzahl der Verteidiger dieses Prozesses, die Punkte 1 und 5 der Anklage als nicht genuegend begrueundet abzuweisen, ist bereits eingehend dazu Stellung genommen worden, ob den Angeklagten dieses Prozesses ein Verbrechen gegen den Frieden und eine Planung oder Verschwuerung zur Begehung derartiger Verbrechen vorgeworfen werden kann. Ich moechte lediglich ergaenzend hierzu Folgendes bemerken:

Die Bestimmung des Art.II 2 f des Kontrollratsgesetzes ist gegenueber dem Statut des IMT neu. Bei woertlicher Auslegung dieser Bestimmung muesste allerdings jede Person, die in Deutschland eine gehobene politische, staatliche, oder militaerische Stellung, oder eine solche im finanziellen, industriellen oder wirtschaftlichen Leben inne gehabt hat, eines Kriegsverbrechens schuldig sein. Diesen Standpunkt hat offenbar die Anklagebehoerde in Nuernberg selbst nicht vertreten; denn sonst haette sie in jedem der bishorigen Prozesse jeden Angeklagten wegen seiner Stellung eines Verbrechens gegen den Frieden bezichtigen koennen. Der Art.II 2 f bedarf also notwendigerweise einer einschraenkenden Auslegung, was auch die Anklagebehoerde dieses Prozesses nicht verkennt. Sie sucht jedoch, auf

G r u n d der Bestimmung des Art.II 2 f Kontrollratsges. den Angeklagten den Exkulpationsbeweis aufzubuerden. Auch das kann nicht der Sinn dieser Bestimmung sein; denn wie koennte der Angeklagte den Beweis eines Negativums, naemlich der Nichtteilnahme an Verbrechen gegen den Frieden fuehren? Die unbedingt erforderliche Einschraenkung ergibt sich meines Erachtens daraus, dass Art.II 2 den Begriff des Taeters oder Teilnehmers umreisst. Ziffer f ist also eine Form der Teilnahme. Teilnehmer an einem Delikt kann aber nicht schlechthin jeder Inhaber einer bestimmten Stellung sein, sondern nur derjenige, der in dieser Stellung auch irgendwie an verbrecherischen Handlungen mitgewirkt hat. Das ist bei Dr.BUERGIN nicht der Fall.

## II.

An den Beginn meiner Betrachtung des Anklagematerials, das sich auf das I.G.Werk in Bitterfeld, jedoch durchaus nicht immer auf den Angeklagten Dr.BUERGIN bezieht, moechte ich die Feststellung setzen, dass Dr.BUERGIN erst am 1.1.1938 Vorstandsmitglied der I.G. wurde, und zwar bis Mai 1938 nur stellvertretendes Vorstandsmitglied, von da an ordentliches Vorstandsmitglied.

Der Angeklagte BUERGIN kam 1931 von Rheinfelden (Baden), wo er Werksleiter gewesen war, nach Bitterfeld. Er wurde im Rahmen des grossen I.G.-Konzerns dahin versetzt. Aus einer Taetigkeit, in der er im wesentlichen selbstaendig wirken konnte, wurde er zwar in einen weitaus groesseren Wirkungskreis, aber in eine Stellung versetzt, in welcher er von den Weisungen seines Chofs abhaengig war. Seine Stellung nach dem deutschen Handelsgesetzbuch war die eines Prokuristen. Daran aenderte sich auch nichts dadurch, dass er 1933 den Titel eines



stellvertretenden Direktors erhielt. Zunächst wurde ihm als Chlor-spezialisten die Leitung des Werks Bitterfeld Sued uebertragen, im Laufe der Zeit auch diejenige der anorganischen Abteilungen der sogenannten Betriebsgemeinschaft Mitteldeutschland, welcher ausser Bitterfeld und dem Werk Wolfen Farben - wohl zu unterscheiden von Wolfen Film - die in diesem Prozess erwahnten Werke Aken, Stassfurt, Teutschenthal, Scharzfeld, Doeberitz und Rheinfeldern gehoerten. Leiter der gesamten Betriebsgemeinschaft Mitteldeutschland war bis zu dem Zeitpunkt, an welchem BUERGIN Vorstandsmitglied wurde, Herr Dr.Pistor, der gleichfalls in den Anklagedokumenten erscheint. Unter Dr.Pistors Leitung vollzogen sich im wesentlichen alle von der Anklage beanstandeten Erweiterungen, Neubauten ganzer Werke und Neuerrichtungen oder Ver-groesserungen einzelner Anlagen in den bereits vorhandenen Werken, sodass, als Dr.BUERGIN am 1.1.38 die Leitung der Betriebsgemeinschaft Mitteldeutschland uebernahm, das industrielle Ausweitungsprogramm, das von der Anklage hier als Verbrechen gegen den Frieden angeprangert wird, im wesentlichen durchgefuehrt war. BUERGIN hatte nur noch das zu Ende zu fuehren, was andere bereits begonnen hatten.

In Bitterfeld wurde BUERGIN erstmalig mit der Produktion und Fabrikation von Magnesium bekannt; in seinem fruheren Wirkungskreis hatte er damit nichts z u tun gehabt. Die erste Entwicklung des Magnesiums zu einem brauchbaren Werkstoff ist ausschliesslich in Deutschland erfolgt, der eigentliche Promotor in diesem Entwicklungsprozess war der Vorgaenger meines Mandanten, Dr.Pistor.

Die Entwicklung gerade dieses Metalls in Deutschland ist auf die besonderen deutschen Verhaeltnisse zurueckzufuehren, die manches verstaendlich machen und des von der Anklage behaupteten verbroche-

rischen Charakters entkloiden, was auf industriellem Gebiet in Deutschland geschehen ist. Deutschland litt von jeher an einem Mangel an Metallen aller Art innerhalb seiner eigenen Grenzen. Die Rohstoffe fuer Magnesium - insbesondere Carnallit und Dolomit - waren jedoch in Deutschland in ueberreichem Masse vorhanden. Daraus ergab sich das Bestreben deutscher Erfinder, aus diesen reichlich vorhandenen Rohstoffen, die sogar nutzlos als Abwaesser in die Fluesse gelassen wurden, ein technisch einatzfaehiges Leichtmetall zu gewinnen. Schon um die Jahrhundertwende wurde damit begonnen und mit einer wahrhaft bewundernswerten Zaehigkeit wurde trotz aller Rueckschlaege immer wieder versucht und es wurden immer wieder neue Wege gefunden, um Schwierigkeiten, die sich im Zuge der Weiterentwicklung in den Weg stellten, zu ueberwinden. Eine Produktion in grossindustriellem Ausmasse wurde erstmalig waehrend des ersten Weltkrieges in Bitterfeld eingerichtet. Die Produktionsanlagen passierten nach dem fuer Deutschland unguenstigen Ausgang dieses Krieges unbeanstandet die Kontrolle der damals eingesetzten Militaer-Kontroll-Kommission. Die Anlagen wurden modernisiert und das leichteste Gebrauchsmetall konnte jetzt in der ganzen Welt, besonders in Deutschland, auf Verwendungsgebieten Eingang finden, in welchen die Gewichtsersparnis eine wesentliche Rolle spielt, insbesondere also im Motor- und Fahrzeugbau. Als sich gerade die unermuedlichen Anstrengungen und die grossen dafuer investierten Mittel zu rentieren begannen, trat die bekannte Wirtschaftskrise ein, die Deutschland in einem viel schaeferen Masse traf, als jedes andere Land. Die Produktion und der Umsatz gingen in erheblichem Masse zurueck. Diese Jahre des Rueckganges hat die Anklage als Ausgangspunkt ihrer vergleichenden Statistiken genommen, in denen sie sich eine Pro-



duktionserhöhung von 1930 auf 1943 um 4000 % errechnet. Es ist bekannt, dass man durch eine an sich richtige Statistik ein vollkommen schiefes Bild entwerfen kann, und so ist es auch in diesem Fall, wie ja die Zeugen Elias und Struss im Kreuzverhör bestätigt haben.

Als im Jahre 1933 nach der Machtübernahme durch die Nationalsozialisten die Industrie sich wieder zu erholen begann, erfolgte auch ein Aufschwung auf dem Magnesiumgebiet. Es ist nur zu verständlich, dass diejenigen Männer der I.G., die dieses Metall unter unsäglichem Mühen und grossen Kosten zu einem brauchbaren Werkstoff entwickelt hatten, die Gelegenheit ergriffen, nun einmal im Grossen zeigen zu können, was sie bisher nur in zu kleinem Umfang oder im Technikumskala geleistet hatten. Dass dieser Aufschwung der Magnesiumerzeugung zum Teil der deutschen Aufrüstung zugute kam, wurde von keinem dieser Männer als ein Verbrechen empfunden, da sich alle Nachbarn Deutschlands in einem hoch gerüsteten Zustande befanden und die politische Situation des abgerüsteten Deutschen Reiches in diesem Kreise bewaffneter Nachbarn durchaus keine sichere oder beneidenswerte war. So kam es dazu, dass die Magnesiumwerke in Aken und Stassfurt errichtet wurden, woran im übrigen damals Dr. BUERGIN kein tatiger Anteil zugewiesen wurde. Dass dann während des Krieges gerade auf diesem Gebiet die Produktion forciert werden musste und auch forciert wurde, ist so selbstverständlich, dass es darüber wohl keines weiteren Wortes bedarf.

Die Anklage hat gerade den Komplex Magnesium herausgegriffen, um damit nachzuweisen, dass die I.G. nicht nur die Aufrüstung im eigenen Lande unterstützte, sondern dass sie auch in rücksichtsloser und bewusster Weise die übrige Welt von den auf diesem Gebiet erzielten

Erfolgen planmässig ausschloss, in anderen Ländern die Produktion beschränkte und so auf Seiten der Feinde Deutschlands im letzten Kriege einen fühlbaren Mangel hervorrief. Ich werde nachweisen, dass das genaue Gegenteil der Fall ist.

Die I.G. hat sich dauernd die allergrosste Mühe gegeben, das Ausland fuer Magnesium zu interessieren. Mit Grossbritannien bestanden schon seit Anfang der 20er Jahre auf diesem Gebiet freundschaftliche Beziehungen, die mit den USA seit etwa 1923 bestehenden wurden Ende der 20er Jahre verdichtet. Es kam zum Abschluss eines Abkommens mit dem grossten Aluminiumerzeuger der Vereinigten Staaten und der Welt, der Aluminium Company of America (Alcoa). In diesem Abkommen befindet sich auch die von der Anklage beanstandete Beschränkung der Magnesiumproduktion in den USA auf eine Produktion von anfangs je 4000 to fuer die von der I.G. und der Alcoa in Aussicht genommenen Produktionsfirmen. Diese Grenze wurde aus zwei Gründen gewählt: 4000 to waren unter den damaligen Verhältnissen eine sehr hohe Produktion; wie sich später herausstellte, war schon diese begrenzte Menge in den USA damals nicht unterzubringen. Ausserdem waren die Devisenmittel der I.G. in USA beschränkt, so dass sie Wort darauf legte, sich zunächst nicht ueber ihre Kräfte zu engagieren. Die 4000 to-Grenze wurde uebrigens später fallen gelassen. - In England hat die I.G. selbst im Jahre 1935 fuer ein englisches Unternehmen eine Magnesiumproduktionsanlage gebaut, deren Erzeugnisse später im Luftkriege der Alliierten gegen Deutschland Verwendung fanden. - Auch nach Frankreich wurden 1931 Lizenzen fuer zwei Produktionsanlagen erteilt, desgleichen nach Italien. - Die I.G. gab, um die Produktion und die Verwendung von Magnesium im Auslande zu foerdern, ihre Erfah-



rungen bis zum Ausbruch des Krieges in der loyalsten Weise an England, Frankreich und USA und sie bemühte sich noch im Jahre 1940 nach Kriegsausbruch darum, ihren amerikanischen Geschäftsfreunden die neuesten Ergebnisse ihrer Forschung zu uebermitteln.

Das war die I.G., der die Anklage den Vorwurf macht, sie habe die Industrien anderer Laender auf diesem Gebiet gehemmt und die potentiellen Feinde Deutschlands industriell geschwaecht, um die Vorbereitungen der nationalsozialistischen Kriegsmaschine mit allen Mitteln zu unterstuetzen. Ich werde nachweisen, dass sich die I.G. gegenueber ihren auslaendischen Geschäftspartnern in aner kennenswerter Weise loyal verhielt und dass dies seit 1938 unter der Leitung meines Mandanten Dr. BUERGIN geschah.

Im Zusammenhang mit angeblichen Verbrechen gegen den Frieden wird Dr. BUERGIN auch als Mitarbeiter Krauchs im Vierjahresplan erwahnt. Tatsaechlich kam er mit dem Vierjahresplan nur gelegentlich in Beruehrung, wenn dieser statistisches Material ueber die Erzeugung und Verwendung von Chlor von ihm anforderte. Ebenso war seine Taetigkeit in einer Fachuntergruppe der Wirtschaftsgruppe Chemie auf die Zurverfuegungstellung seiner Kenntnisse als Chlorspezialist beschraenkt. Die entsprechenden Beweise werde ich fuehren.

### III.

Meinem Mandanten wird von der Anklage auch die Teilnahme an Raub und Pluenderung in Zusammenhang mit dem Norwegenkomplex vorgeworfen. Dr. BUERGIN war Mitglied des Aufsichtsrates der Nordisk Leichtmetall AG., die zum Zwecke einer erheblichen Steigerung der norwegischen Leichtmetallerzeugung waehrend des Krieges gegrueudet wurde. An dem Zustandekommen des Norwegengeschaeftes war Dr. BUERGIN nur als

Techniker beteiligt, mit den finanziellen Transaktionen hatte er sich nicht zu befassen. Die bisherigen Zeugenaussagen dürften bereits erwiesen haben, dass die Gruendung und die Schaffung der Produktionsstätten der neuen norwegischen Gesellschaft keinen Raub und keine Pluenderung darstellen.

#### IV.

Meinem Mandanten wird schliesslich von der Anklage vorgeworfen, an Versklavung und Massenmord beteiligt gewesen zu sein.

Wie in allen deutschen Werken, so sind auch in Bitterfeld Fremdarbeiter beschäftigt worden. Die Verhältnisse liegen hier insofern besonders, als in Bitterfeld bereits vor dem Kriege ein grosses Lager fuer die Aufnahme von nicht ortsansässigen Arbeitskräften geschaffen worden war. Die Notwendigkeit ergab sich daraus, dass sich das mitteldeutsche Industriegebiet dank seiner reichen Braunkohlenvorkommen seit dem ersten Weltkrieg besonders rasch entwickelt hatte, sodass hier schon fruehzeitig ein Mangel an Arbeitskräften eintrat und insbesondere Unterkuenfte fuer die zustroemenden Arbeitskräfte nicht schnell genug geschaffen werden konnten. Infolgedessen ergab sich die Notwendigkeit der Schaffung eines Lagers, das vor dem Kriege besonders sorgfaeltig und besonders komfortabel ausgestattet wurde. In dieses Lager sind dann spacter die auslaendischen Arbeitskräfte eingezogen, wobei Erweiterungen des Lagers stattfinden mussten.

Ueber die mannigfaltigen Rechtsfragen, die sich aus der Beschaeftigung auslaendischer Arbeitskräfte ergaben, ist bereits von einem meiner Herrn Kollegen die Stellungnahme der Verteidigung angedeutet und erklaert worden. Ich will jetzt das Gericht mit weiteren



Rechtsausführungen zu diesem Punkt nicht ermüden. Ich möchte aber grundsätzlich feststellen, dass der schwere Vorwurf der Ausnutzung von Sklavenarbeit schon einer besonderen Begründung bedarf und dass die Feststellung, es seien Arbeiter gegen ihren Willen verwendet worden, nicht genügt. Dann hätte sich nämlich jeder Unternehmer in Deutschland strafbar gemacht, da alle und selbst die kleinsten Betriebe ausländische Arbeitskräfte hatten. Jeder Bauer auf dem Lande, jede Hausfrau, die eine polnische oder ukrainische Hausangestellte beschäftigten, wären Kriegsverbrecher, eine Konsequenz, die weder die alliierten noch die mit der Verfolgung von Kriegsverbrechern befassten deutschen Behörden bisher gezogen haben. Es muss also auch hier wieder eine vernünftige Einschränkung gemacht werden, was offenbar von der Anklagebehörde nicht verkannt wird, da sie sich bemüht, menschenunwürdige Zustände in den Lagern, in der Behandlung und in den Arbeitsbedingungen der Fremdarbeiter nachzuweisen. Das Material der Anklage hinsichtlich der Werke der Betriebsgemeinschaft Mitteldeutschland ist in dieser Hinsicht dürftig. Es liegt lediglich das Affidavit eines französischen Arbeiters vor, der bisher noch nicht einmal zum Kreuzverhör gestellt wurde. Sollte dies auch in Zukunft nicht geschehen, so werde ich die Zulaessigkeit dieses Affidavits beanstanden.

Von mir aus aber bin ich in der Lage nachzuweisen, dass gerade mein Mandant es gewesen ist, der aus einem auf reicher Auslandserfahrung beruhenden Verständnis und seinem warmen Empfinden für die Arbeiter, die in ein fremdes Land gekommen waren, erkannte, was geschehen musste, um das Los der ausländischen Arbeitskräfte zu erleichtern, der in Werk- und Abteilungsleiterbesprechungen ständig ent-

sprechende Hinweise, Anregungen und Aufträge gab, der einsah, wo am tatkräftigsten geholfen werden konnte, und schliesslich auch die Genugtuung hatte, dass die mit der Truppe einrückenden amerikanischen Verwaltungsoffiziere nichts zu beanstanden fanden, dass die ausländischen Arbeiter den Amerikanern auf ihre dringenden Fragen hin keine Klagen vorbringen konnten und dass in einigen Werken die Ausländer vor ihrem Abzuge Dankadressen überreichten.

Die Anklage versucht, meinen Mandanten auch für die Zustände im Lager Monowitz verantwortlich zu machen. Die weitere Beweisaufnahme wird ergeben, ob die Zustände, von denen wir in den letzten Wochen des Anklagevorbringens Kenntnis nehmen mussten, tatsächlich allgemein so waren und ob überhaupt einer der Angeklagten dafür verantwortlich ist. Dr. BUERGIN ist nie an Ort und Stelle gewesen und erfuhr in den etwa alle zwei Monate stattfindenden Tea- und Vorstandssitzungen bei der Erörterung des technischen und finanziellen Aufwandes die Tatsache des Einsatzes von KZ-Häftlingen, nicht mehr und nicht weniger. Ein solcher Einsatz fand auch in anderen I.G.-Werken statt, allerdings nicht in der Betriebsgemeinschaft Mitteldeutschland. BUERGIN konnte daran nichts ändern. Mag die Beweisaufnahme in dem Komplex Monowitz-Auschwitz so oder so ausfallen, ich nehme jedenfalls für Dr. BUERGIN die Ausführungen des Urteils gegen Pohl u.a. in Anspruch, wonach der Ausdruck "in Verbindung stehen mit" einem Verbrechen mehr bedeutet als ein blosses Wissen, mehr als mit den Haupttätern oder Beihilfern im gleichen Gebäude arbeiten oder selbst in der gleichen Organisation sein, mehr als lediglich nicht dagegen sein. Für dieses "mehr" ist bei Dr. BUERGIN durch die Anklage nichts dargetan.



V.

Bevor ich diese Ausführungen schliesse moechte ich die Aufmerksamkeit des Gerichts noch auf folgenden Punkt lenken:

Wie ich schon eingangs betonte, liegt das Werk Bitterfeld jetzt in der von der Sowjet Union besetzten Zone Deutschlands. Es hat sich nicht nur in meinem Verteidigungskomplex, sondern auch bei meinen Herrn Mitverteidigern, deren Mandanten Leiter von Werken in der Sowjet Zone waren, herausgestellt, dass die Beschaffung von Verteidigungsmaterial aus dieser Zone auf ausserordentliche Schwierigkeiten stoesst. Es ist nicht nur so, dass die in Betracht kommenden Zeugen befuerchten, in politische Schwierigkeiten zu geraten, wenn sie einem ihrer fruheren Betriebsfuhrer ein wahrheitsgemaesses Affidavit ueber Vorgaenge aus der Kriegs- und Vorkriegszeit geben, Bedenken, welche die Zeugen in den Westzonen erfahrungsgemaess nicht haben. Es ist auch so, dass Urkundenmaterial aus den Werken der Ostzone, die durchweg - so z.B. auch Bitterfeld - sowjetrussische Staatsbetriebe geworden sind, nicht oder nur unter den groessten Schwierigkeiten und im eingeschaenktesten Masse zu haben ist. Ich bitte das hohe Gericht, bei der Wuerdigung des Beweismaterials der Verteidigung diesen Gesichtspunkt zu beruecksichtigen und die Angeklagten, welche Werke in der Ostzone leiteten, diese ausserordentlichen Schwierigkeiten der Beweisfuhrung nicht entgelten zu lassen.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Heinrich B U N T E F I S C H

German





*Defense  
Case 6*

Eröffnungsrede

des

Verteidigers

Dr. Hans Flaech sner

vor dem

amerikanischen

Militärtribunal VI, Nuernberg

fuer

Dr. Heinrich Bueterfisch



*Genn,*

Hohes Gericht!

Von den hier zur Anklage stehenden Mitgliedern des Vorstandes der I.G. Farbenindustrie hat die Anklage ein Bild entworfen oder richtiger ein Bild zu entwerfen versucht, welches ueberreich ist an perspektivischen Fehlern, Verzeichnungen, Entstellungen und Verzerrungen. Von ihrem Blickpunkt aus kommt die Anklage zu Urteilen, die durch die Sachlage in keiner Weise gerechtfertigt sind. " Die Angeklagten waren Maenner, die vor nichts Halt machen " so sagt der Hauptanklagevertreter von ihnen in seiner Eroeffnungsansprache und wirft ihnen vor " unverhuelte Anmassung, grenzenlose Verachtung goettlicher und menschlicher Gebote " und behauptet von ihnen weiterhin " sie haetten sich berechtigt gefuehlt, das Weltgeschick zu lenken; allen ihren Urteilen habe bodenlose Eitelkeit und unersaettlicher Ehrgeiz zu Grunde gelegen. Des weiteren sagt er: " Sie haetten ihre Macht zum einzigen und hoechsten Gott erhoben! Solche Anklagen und Vorwurfe toenen durch den ganzen bisherigen Vortrag der Anklage durch. Was steht an Wahrheitsgehalt demgegenueber? Ich kann mich hier nicht mit den Angeklagten als Gesamtheit befassen, sondern werde mich darauf beschraenken, die Anklagepunkte herauszuschaelen, die den von mir vertretenen Angeklagten Dr. Buete fisch im Rahmen seiner Gesamttaetigkeit innerhalb der I.G. vorgeworfen werden.

Seit 25 Jahren gehoert er der I.G. an. Zunaechst im Laboratorium, dann als Betriebs-Assistent im Leuna-Werk taetig, stieg er auf bis er schliesslich zusammen mit seinem Kollegen Schneider die gesamte Leitung des Leuna Werkes ueber-



nahm, die er bis zum Jahre 1945 innegehabt hat. Es ist die Laufbahn eines begabten, fachigen Chemikers und Technikers, dessen Leben ausgefüllt war mit der Entwicklung und dem Ausbau chemischer Synthesen auf dem Kohle-Gebiet, jenem Gebiet, das im Laufe des Anklagevortrages dem Hohen Gericht als Produktionsgebiet der Sparte I bekanntgeworden ist. Die Grösse der Aufgaben, die Dr. Buetefisch mit dem Hineinwachsen in dieses grosse Gebiet der Forschung, der Entwicklung und des technischen Ausbaues uebernommen hat, ist nicht den Daten der Beförderung in eine neue Position bei der I.G. abzulesen, sondern sie hat sich organisch entwickelt und gesteigert mit der Fähigkeit, technische Möglichkeiten auf einem Gebiet zu erkennen, sie in der Entwicklung zu leiten, richtig einzuschätzen und organisatorisch auszuwerten. In einem so grossen und führenden chemischen Unternehmen, wie es die I.G. Farbenindustrie darstellt, konnten derartige Kräfte sich zu Spezialisten auf ihrem Gebiet entwickeln, die weit ueber die Reichweite ihres Unternehmens als Experten nicht nur innerhalb Deutschlands, sondern auch ueber die Reichsgrenzen hinaus als erste Fachmänner anerkannt waren. Man kann wohl sagen, dass Dr. Buetefisch als ein derartiger technischer Experte auf dem Stickstoffgebiet und spaeter auf dem Mineraloelgebiet mit seinen Nebenzweigen galt. Er hat die Synthesen des Stickstoffes und die Synthesen von Mineraloelen und Kohlenwasserstoffen mit entwickelt und war verantwortlich fuer das technische, ordnungsgemaesse

Funktionieren der ihm anvertrauten Betriebe. Es ist selbstverstaendlich, dass ein Mann, der auf seinem fachlichen Gebiet durch seine Leistungen hervorragt, sowohl von seinem Unternehmen als auch von anderer Seite stark in Anspruch genommen und zur Mitarbeit von allen Seiten herangezogen wird. So kam es, dass der Aufgabenbereich Buete'fisch's wuchs, aber nicht, wie die Anklage behauptet, aus persoenlichem Ehrgeiz heraus, sondern einfach begruendet durch sein technisches Koennen, durch seinen Fleiss und seine organisatorischen Faehigkeiten.

Als der Ausbau der deutschen Binnenwirtschaft, zu dem die Wirtschaftsfuehrung aus Mangel an Devisenueberschuessen gezwungen war, staerker auf die Verwertung deutscher Rohstoffe hindraengte, wurden Herrn Dr. Buete'fisch eine Reihe von Aufgaben im Bereich der Sparte I uebertragen. Seine Taetigkeit beschraenkte sich aber immer auf technische oder technisch organisatorische Aufgaben innerhalb seines eigentlichen Fachgebietes. So war er vom Jahre 1934 an Leiter der technischen Kommission im Stickstoff-Syndikat und wurde bereits 1931 bei den internationalen Stickstoffverhandlungen zum Vorsitz der technischen Exportenausschusses von allen teilnehmenden Nationen gewaehlt. In verschiedene Gesellschaften wurde er als Aufsichtsratsmitglied delegiert. Wie viele andere deutsche Wissenschaftler, Techniker und Industrielle wurde er zur ehrenamtlichen Mitarbeit im Amt fuer Wirtschaftsausbau herangezogen und man uebertrag ihm als Fachmann



auf dem Mineraloelgebiet im Kriege die stellvertretende Leitung der Wirtschaftsgruppe Kraftstoffe. Aus dieser seiner privatwirtschaftlichen und sonstigen Taetigkeit bei amtlichen und halbamtlichen Stellen eine Kenntnis der letzten Absichten der Staatsfuhrung schliessen zu wollen, waere absurd, zumal die Staatsfuhrung ihre Absichten nur vor den hoechsten Spitzen der Wehrmachtsfuhrung und dem Aussenminister offengelegt hatte. Es soll hier nicht auf die Taetigkeit der deutschen Wirtschaftsgruppen eingegangen werden und es kann auch nicht auf die allgemeine ehrenamtliche Taetigkeit der verschiedensten Techniker fuer das Reichsamt fuer Wirtschaftsausbau eingegangen werden. An dieser Stelle genuegt der Hinweis, dass die rein technische, wirtschaftliche Aufgabe, die mein Klient im Rahmen seiner Taetigkeit zu loesen hatte, mit politischen Fragen, geschweige mit politischen Entscheidungen nicht das geringste zu tun hatte. Demgegenueber sucht die Anklagebehoerde einen Zusammenhang zu konstruieren zwischen dieser Taetigkeit meines Klienten und den Vergehen, wie sie das Kontrollratsgesetz Nr.10 als verbrecherisch gekennzeichnet hat. Ich werde im Laufe der Beweisfuhrung diese Taetigkeit meines Klienten nachher zu erlaeutern haben.

Die Anklage hat nun versucht, die Verantwortung fuer politische Ereignisse, fuer Massnahmen der Regierung und insbesondere fuer die Fuhrung von Angriffskriegen zu verquickten mit der Leistung und den Arbeiten dieser Angeklagten und auch meines Klienten auf dem Gebiete der chemi-

schon Technik, der Forschung und Entwicklung auf neuen Gebieten, wie sie allgemein in der Wirtschaft eines jeden Staates ueblich sind. Ganz abgesehen davon, dass in all diesen Punkten der Anklage dem Anklagevertreter jede schlussige Beweisfuehrung seiner aufgestellten Kombinationen fehlt, soll auf einige Einzelvorwuerfe im nachstehenden kurz eingegangen werden.

Aus einem Besuch bei Hitler im Jahre 1932, der durch meinen Klienten im Auftrag seiner Firma lediglich zur Orientierung ueber Mineraloelfragen erfolgt ist, leitet die Anklage ein Buendnis der I.G. mit Hitler ab. Abgesehen davon, dass Dr. Bueterfisch zu jener Zeit in keiner Weise legitimiert war, die I.G. vollverantwortlich zu vertreten, da er noch nicht Vorstandsmitglied gewesen ist, fehlt auch jeder Beweis der Anklage, woraus sie dieses Buendnis herleiten will. Dieses Buendnis wird nun weiter kombiniert mit dem Abschluss eines Benzinvertrages im Dezember 1933. Es soll schon hier darauf hingewiesen werden, dass Beweismaterial vorgelegt werden wird, dass zwischen diesem Besuch und dem Benzinvertrag keinerlei Zusammenhaenge bestehen. Schon die Art des in den Dokumenten beigelegten Benzinvertrages laesst erkennen, dass dieser Abschluss mit dem Reich auf rein wirtschaftlicher, kommerzieller Basis abgeschlossen wurde und dass von einer Beeinflussung der vertragsschliessenden Regierungstellen durch die Partei nicht die Rede sein kann. Wir werden diese Tatsache durch weiteres Beweismaterial erhaerten.



Es wird im Rahmen dieses Anklagepunktes Stellung genommen werden zu der Behauptung, die I.G. habe ihre Produktionen mit der deutschen Kriegsmaschine synchronisiert, wobei sie auf Produkte hinweist, die der technischen Leitung meines Klienten unterstanden. Ich werde auch zu diesem Punkt Beweismaterial vorlegen, das die Kombination der Anklage als inhaltslose Konstruktion erscheinen lassen und klar beweisen wird, dass es sich in all den vorgelegten Faellen um normale wirtschaftliche Entwicklungen handelt. Insbesondere werde ich eingehen auf den Vorwurf der Anklage gegen Dr. Buctofisch, er habe in Kenntnis der Tatsache, dass das Dritte Reich Angriffskriege plante, den Erfahrungsaustausch mit amerikanischen Firmen auf dem Gebiete der Hydrierung so durchgefuehrt, dass damit das Kriegs-Potential dieser Laender geschwaecht worden waere. Ich werde dabei auf den Erfahrungsaustausch im allgemeinen und die Taetigkeit, die mein Klient in diesem Zusammenhang entfaltet hat, eingehen und unter Beweis stellen, dass die von der Anklage aufgestellten Behauptungen durch die effektiven Ergebnisse des erfolgten Erfahrungsaustausches hinfaellich sind.

Im Punkt II der Anklage werden die Aufsichtsratsmitglieder der Continental Oil A.G., zu denen auch mein Klient als Vertreter der I.G. Farbenindustrie gehoert, verantwortlich gemacht fuer die Durchfuehrung von Massnahmen, die die Geschaeftsfuehrung der Continental Oil A.G. im Rahmen des Ostfeldzuges auf Anordnung von hohen Regierungsstellen

durchzufuehren hatte. Ich habe bereits bei Vorlage dieses Beweismaterials der Anklage Einspruch erhoben und es ist in der Sitzung vom 20.11.1947 ausgiebig darueber verhandelt worden. Ich werde darauf zum gegebenen Zeitpunkt nochmals zurueckkommen. Ich werde dabei eroertern, welche Geschaefsttaetigkeit die genannte Firma entwickelt hat und es wird dabei die Frage zu behandeln sein, ob ueberhaupt eine Moeglichkeit fuer den Vorstand der I.G. Farben oder Herrn Dr. Bueteffisch bestand, auf die Geschaeftsfuehrung der Continentalen Oel A.G. Einfluss zu nehmen oder auszuueben. Die anlaesslich des Beweisvortrages der Anklagebehoerde zum Ausdruck gebrachte rechtliche Auffassung wird auch hierbei eine Rolle spielen.

Auf weitere Faelle, die unter Anklagepunkt II vorgebracht sind, werde ich fuer meinen Klienten nur soweit eingehen, als sie im Rahmen der von der Anklage behaupteten Gesamtverantwortlichkeit des Vorstandes der I.G. zur Last gelegt werden und als es zur Widerlegung dieser von der Anklage behaupteten strafrechtlichen Gesamthaftung erforderlich ist.

Im Punkt III erhebt die Anklage schwere Beschuldigungen gegen die Funktionaere der I.G. und so auch gegen meinen Mandanten wegen der Beschaeftigung und der Behandlung von Fremd - und Zwangsarbeitern. Absichten oder gar Handlungen, wie sie die Anklage in ihrem Beweisvortrag als Verbrechen gegen die Menschlichkeit darstellt, sind in der Entwicklungsgeschichte und in dem Geschaeftsgebarren der



I.G., deren soziale Leistungen und Einstellung weit ueber die Grenzen Deutschlands hinaus anerkannt waren, nicht ueblich. Um ihre Vorwurfe gegen die Funktionaere der I.G., die ja die Gesamteinstellung des Unternehmens verkoepern, zu begruenden, hat die Anklage eine Reihe von Beweismaterial vorgetragen, das die rechtswidrige Einstellung von Arbeitskraefte und deren Behandlung in den einzelnen I.G.Werken, insbesondere in Auschwitz, dartun soll. Eine kritische Stellungnahme zu diesem Beweismaterial muss einem spaeteren Zeitpunkt vorbehalten bleiben. Schon hier kann aber gesagt werden, dass die Anklage insofern einem verhaengnisvollen Fehler erlegen ist, indem sie rein oertliche Begebenheiten, die mit der I.G. oder den I.G.Werken nichts zu tun haben, als Kulisse verwendet und Einzelfaelle, die Zeugen meist aus nicht eigenen Beobachtungen, <sup>sondern</sup> vom Hoerensagen vorgebracht haben generalisiert und als typisch bezeichnet, deren Zuverlaessigkeit die Verteidigung anzweifelt. Damit ist im uebrigen voellig ungeklaert geblieben, wie weit tatsaechlich Angestellte der I.G. an Vorfaellen beteiligt sind, welche im Beweisvortrag der Anklage geschildert sind. Es wird in dieser Hinsicht von verschiedenen Seiten der Verteidigung Beweismaterial vorgetragen werden, welches das Beweisvorbringen der Anklage in den wesentlichsten Punkten richtig stellen wird.

Um meinen Klienten in die vorgebrachten Anschuldigungen mit einbeziehen zu koennen, wird versucht, ihn ganz allgemein fuer Fragen des Arbeitsinsatzes verantwortlich zu

machen. Ganz unabhängig von der auf tatsächlichem Gebiet liegenden Nachprüfung des vorerwähnten Materials der Anklage, wird es Aufgabe der Verteidigung sein, zu untersuchen, wie weit aus dem Arbeitsbereich des Dr. Buctofisch eine Verantwortung fuer die von der Anklage vorgebrachten Vorgaenge herzuleiten ist. Dabei wird die weitgehende Arbeitsteilung innerhalb des Vorstandes und die Aufgabenzuteilung an Leitungen der verschiedenen Werke innerhalb der I.G. zu beruecksichtigen sein, die ueberhaupt erst das Arbeiten des Gesamtunternehmens ermöglichen. Ich werde in meinem Beweisvortrag den Nachweis erbringen, dass mein Mandant im Rahmen der ihm uebertragenen Funktionen und Aufgaben alles in seinen Kraefte stehende getan hat und zwar durch Auswahl und Ueberwachung der von ihm oder durch die Spartenleitung eingesetzten Aufsichtspersonen oder Betriebsfuhrer, um sicher zu stellen, dass eine ordnungsgemaesse Leitung der Betriebe gewährleistet war. Und dass eine anstaendige und faire Betriebsfuhrung durchgefuehrt wurde, werden die verschiedenen Betriebsfuhrer unter Beweis stellen; ein Abweichen von der einwandfreien Haltung der I.G. haette ja sonst auch meinem Klienten oder der Spartenleitung zur Kenntnis gebracht werden muessen. -

Bei dem ausgepraegten Arbeitsgebiet meines Klienten fuer technische und organisatorisch-technische Belange der Sparte I innerhalb der I.G. hatte meine Mandant keine



Entscheidung ueber spezielle Fragen der Arbeitereinstellung und Betreuung zu treffen. Er hatte neben seiner Taetigkeit als technischer Leiter von Leuna und Vorsitzter verschiedener technischer Gremien in Syndikaten und Wirtschaftsgruppe auch die Oberaufsicht ueber die technische Planung von Bauverhaben der Sparte I, wie z.B. Maesbierbaum und auch in Auschwitz. Ich halte es aber jetzt schon fuer geboten, darauf hinzuweisen, dass mein Klient niemals Fuehrer eines Betriebes der I.G.Farben oder anderer Unternehmen war, sodass er auch nicht dem Unternehmens Beirat der I.G. angehört hat und demzufolge auch nicht an den Betriebsfuehrerbesprechungen teilgenommen hat.

Es ist daher auch abwegig, wenn die Anklage die Mitglieder des Aufsichtsrates und meinen Klienten als Vorsitzter des Aufsichtsrates der Fuerstengrube G.m.b.H.verantwortlich machen will fuer den Einsatz von Arbeitskraefte auf den Gruben oder die Behandlung von Haeftlingen in den Betrieben dieser Gesellschaft. Es ist bereits von mir darauf hingewiesen worden, dass aus Rechtsgruenden dieser Standpunkt der Anklage unhaltbar ist. Diese Stellungnahme werde ich durch Vorbringen weiteren Beweismaterials erhaerten und nachweisen, dass eine Einflussnahme auf die Geschaeftsfuehrung und die Betriebsfuehrung dieser selbststaendigen Unternehmungen seitens meines Klienten nicht erfolgen konnte und nicht erfolgt ist, sodass eine Verantwortung meines Klienten fuer diesen Komplex nicht in Frage kommen kann.

Unter Punkt IV der Anklage wird meinem Mandanten vorge-  
worfen, Mitglied der SS nach dem 1. September 1939 und Mit-  
glied des Freundeskreises gewesen zu sein. Ich werde den  
Nachweis fñhren, dass mein Klient niemals aktives Mit-  
glied der SS gewesen ist, kein Kommando gefñhrt, keinem  
Verbande angehört, keinen Dienst in der SS getan hat, son-  
dern dass er lediglich sogenannter Ehrenfñhrer gewesen  
ist und dass diese nicht als aktive Mitglieder der SS an-  
zusehen sind. Schon an dieser Stelle wird darauf hingewie-  
sen, dass das IMT-Urteil keine Verurteilung der seinerzeit  
vor ihm angeklagten Personen wegen Zugehörigkeit zur SS  
ausgesprochen hat, soweit sie blosse Ehrenfñhrer waren.  
Auch in dieser Hinsicht wird noch weiteres Beweismaterial  
eingbracht werden. Unter dieser Voraussetzung kann aber  
eine Verurteilung des Dr. Buchefisch wegen seiner Zugehö-  
rigkeit zu einer fuer verbrecherisch erklarten Organisa-  
tion nicht erfolgen. In diesem Zusammenhang wird auf das  
von der Anklagebehörde zur Unterstuetzung ihrer Behauptung  
vorgetragene Beweismaterial ueber den Freundeskreis einzu-  
gehen sein und durch Vorbringung weiteren Beweismaterials  
die Natur dieses sogenannten Freundeskreises einer naeheren  
Nachpruefung unterzogen werden muessen.

Zu Punkt V der Anklageschrift wird die Nachpruefung der  
Behauptung der Anklage durch Vorlage weiteren Beweismate-  
rials ergeben, dass von einer Teilnahme des Dr. Buchefisch  
an einem gemeinsamen Plan zur Begehung von Kriegsverbrechen  
keine Rede sein kann.



In den Vernehmungen, die der Anklageerhebung vorausgingen, sind auch von meinem Klienten Angaben erfordert worden, die er rein aus dem Gedächtnis ohne jegliche Unterlagen machen musste. Es sind hierbei teilweise Unrichtigkeiten unterlaufen, die aufgedeckt wurden, nachdem Dr. Buctefisch Gelegenheit hatte, Einblick in Dokumente zu nehmen. Sofern solche Unrichtigkeiten festgestellt wurden, werden diese im Verlauf der persönlichen Befragung meines Klienten richtiggestellt werden.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Walther D U E R R F E L D

German





*Defence*  
*Case 6*

OPENING STATEMENT DUERRFELD

MILITAER-TRIBUNAL NO. VI

FALL NO. 6

ERÖFFNUNGSREDE

fuer den

Angeklagten Dr. Walther Duerrfeld

Gehalten von

Rechtsanwalt Dr. Alfred Seidl



*Gemm.*

OPENING STATEMENT DUERRFELD

Herr Praesident, meine Herren Richter!

Der Angeklagte Dr. Walther Duerrfeld wird in Anklagepunkt I beschuldigt, mittels der I.G. und auf sonstige Weise mit verschiedenen anderen Personen waehrend eines Zeitraumes von Jahren vor dem 8. Mai 1945 an der Planung, Vorbereitung, dem Beginn und der Fuehrung von Angriffskriegen und Einfaellen in andere Laender teilgenommen zu haben. Die Anklagevertretung war jedoch nicht in der Lage, auch nur ein einziges Dokument vorzulegen, welches einen Schluss auf eine Beteiligung des Angeklagten Duerrfeld an der Planung oder Durchfuehrung von Handlungen zulassen wuerde, wie sie den Gegenstand dieses Anklagepunktes bilden. Er hat auch zu keiner Zeit in der I.G. oder im finanziellen und wirtschaftlichen Leben Deutschlands eine Stellung bekleidet, die einen massgebenden politischen oder wirtschaftlichen Einfluss in dieser Hinsicht auch nur als moeglich erscheinen lassen koennte. Er gehoerte insbesondere auch nicht dem Vorstand der I.G.-Farbenindustrie, dem Technischen Ausschuss (TEA) oder einer aehnlichen Einrichtung dieses Unternehmens an. Die Verteidigung wird sich daher darauf beschraenken koennen, nur wenige grundsatzliche Feststellungen zu dem Anklagepunkt I in ihrem Beweisvortrag und bei der rechtlichen Wuerdigung der gesamten Beweisaufnahme zu treffen.



#### OPENING STATEMENT DUERRFELD

Das gleiche gilt hinsichtlich des Anklagepunktes II, in welchem der Angeklagte Duerrfeld beschuldigt wird, zusammen mit den uebrigen Angeklagten in der Zeit zwischen dem 12. Maerz 1938 und dem 8. Mai 1945 Kriegsverbrechen und Verbrechen gegen die Menschlichkeit dadurch begangen zu haben, dass er an dem Raub oeffentlichen und privaten Eigentums, seiner Ausbeutung und Pluenderung und an anderen Eigentumsverbrechen in Laendern und Gebieten teilnahm, die waehrend des Krieges von den deutschen Truppen besetzt wurden. In keinem einzigen Beweisstueck der Anklage findet sich ein Anhaltspunkt dafuer, dass der Angeklagte Duerrfeld in irgendeinem Zusammenhang mit Handlungen stand, die den Gegenstand dieses Anklagepunktes bilden.

Es kann somit schon jetzt gesagt werden, dass die Anklage gegen den Angeklagten Duerrfeld weder im Anklagepunkt I noch im Anklagepunkt II schluessig begruendet ist und dass der Angeklagte Duerrfeld insoweit fuer nichtschuldig erklaert werden muss, ohne dass es auf das Beweismaterial der Verteidigung und seine rechtliche Wuerdigung noch anzukommen hat.

In Anklagepunkt III wird der Angeklagte Duerrfeld beschuldigt, zusammen mit den anderen Angeklagten zwischen dem 1. September 1939 und dem 8. Mai 1945 Kriegsverbrechen und Verbrechen gegen die Menschlichkeit im Sinne des Artikels II des Kontrollratsgesetzes Nr. 10

dadurch begangen zu haben, dass er teilnahm an der Versklavung und Verschleppung zur Zwangsarbeit von Angehörigen der Zivilbevölkerung in den besetzten Ländern und an der Versklavung der Insassen von Konzentrationslagern.

Das Verhalten des Angeklagten Duerrfeld braucht im Rahmen der Beweisaufnahme zu diesem Anklagepunkt nur insoweit untersucht zu werden, als seine Mitwirkung beim Aufbau des Werkes Auschwitz der I.G.-Farbenindustrie A.G. in Betracht kommt. Im Hinblick darauf, dass er weder dem Vorstand der I.G. noch dem Technischen Ausschuss angehörte und daher keinerlei Einfluss auf die Frage der Beschäftigung von ausländischen Arbeitskräften und von Häftlingen im allgemeinen hatte, braucht im Zusammenhang mit der Verteidigung dieses Angeklagten und der Beurteilung seiner strafrechtlichen Verantwortlichkeit auch keine r e c h t l i c h e Würdigung des Arbeitseinsatzes bei der I.G. im allgemeinen und in bestimmten anderen Werken zu erfolgen.

Wie bereits das Beweismaterial der Anklage zeigt, wurde der Bau eines vierten Buna-Werkes in Oberschlesien von den obersten Planungsbehörden des Reiches zu einer Zeit angeordnet, als es offenbar geworden war, dass mit einer schnellen Beendigung des Krieges nicht mehr gerechnet werden konnte und dass es sich bei ihm um einen Kampf handelte, bei dem es um die Lebensgrundlagen der ganzen Nation ging. Ich verweise in diesem Zusammenhang insbesondere auf das Schreiben des Generals von Hanneken vom



OPENING STATEMENT DUERRFELD

Reichswirtschaftsministerium an den Angeklagten Dr. ter Meer vom 8. November 1940, welches von der Anklagevertretung als Beweisstück 1408 (Dokument NI-11781) vorgelegt wurde. Bei der Auswahl des Standortes fuer dieses vierte Buna-Werk, dessen Errichtung endgueltig am 2. November 1940 beschlossen worden war, war der Angeklagte Duerrfeld nicht beteiligt. Es ergibt sich aber schon aus dem von der Anklagevertretung vorgelegten Beweismaterial und insbesondere aus den Berichten des Angeklagten Dr. Ambros, wie unzutreffend es ist, wenn in der Anklageschrift behauptet wird, dass bei der Auswahl des Standortes fuer dieses neue Werk die Tatsache eine wesentliche Rolle gespielt habe, dass sich in der Naehc von Auschwitz ein Konzentrationslager befand. Ich lenke in diesem Zusammenhang die Aufmerksamkeit des Gerichts auf den Inhalt der Anklagebeweisstücke 1412 (Dokument NI-11785) und 1414 (Dokument NI-11113). Diese beiden Urkunden zeigen ebenso wie verschiedene andere Dokumente eindeutig, dass bei der Auswahl des Standortes fuer das geplante neue Werk der I.G. das bei Auschwitz gelegene Konzentrationslager, das damals uebrigens noch sehr klein war, keine wesentliche Rolle spielte und dass allein deshalb die Gegend von Auschwitz als Standort fuer das neue Werk gewaehlt wurde, weil dort alle anderen fuer den Bau und die Produktion eines so gewaltigen Werkes erforderlichen Voraussetzungen in hervorragender Weise erfuellt waren: naemlich guenstige Verkehrslage, eine grosse ebene Flaechc und das Vorhandensein von Kohle, Kalk und Wasser.

Was nun den Einsatz von Haeftlingen des benachbarten Konzentrationslagers beim Bau des neuen Werkes anbelangt so war auch dieser Einsatz von den obersten Planungsbehoerden des Reiches bereits zu einer Zeit befohlen worden, als der Angeklagte Duerrfeld von dem geplanten Bau eines neuen Buna-Werkes noch keinerlei Kenntnis hatte. Ich verweise in diesem Zusammenhang auf das Schreiben des Beauftragten fuer den Vierjahresplan an den Reichsfuehrer-SS Himmler vom 18. Februar 1941, in welchem in Ziffer 3 die "Bereitstellung einer moeglichst grossen Anzahl von Bau- fach- und Bauhilfsarbeitern fuer den Bau des Buna-Werkes aus dem benachbarten Konzentrationslager" von Goering selbst angeordnet wurde. Die Anklagevertretung hat dieses Schreiben, welches in Abschrift dem fuer den Arbeits- einsatz zustaeendigen Staatssekretaer Dr. Syrup, dem Ge- neralbevollmaechtigten fuer Sonderfragen der chemischen Erzeugung und anderen Dienststellen in Abschrift zuge- leitet worden war, als Beweisstueck 1417 (Dokument NI- 1240) vorgelegt und ich nehme hinsichtlich der Einzel- heiten darauf Bezug.

Der Angeklagte Duerrfeld selbst wurde erst Anfang Maerz 1941 von dem Angeklagten Dr. Buetefisch zur Mitar- beit beim Aufbau dieses neuen grossen Werkes der I.G. aufgefordert, nachdem inzwischen beschlossen worden war, dass als Teil des ganzen Werkes neben der Buna-Anlage auch noch eine Anlage zur Erzeugung hochwertiger Synthese- produkte (sogenannter "Leuna-Teil") errichtet werden sollte.



Ich verweise in diesem Zusammenhang auf die eidesstattliche Versicherung des Angeklagten Duerrfeld vom 21. April 1947, welche von der Anklagevertretung als Beweisstück 288 (Dokument NI-8006) vorgelegt wurde. Duerrfeld war zu dieser Zeit Oberingenieur in den Leuna-Werken und Abteilungsleiter im Hochdruck. Seit 1939 war er mit Lenkungsarbeiten beim Aufbau des neuen Hydrierwerkes Poclitz der I.G. betraut.

Im Rahmen der Planung des Gesamtwerkes Auschwitz, das die Investition von nicht weniger als 560 Millionen Reichsmark erforderlich machte, sollte der Angeklagte Duerrfeld neben der "Leuna-Anlage" auch die allgemeinen technischen Fragen der Energie- und Wasserversorgung und die Regelung der Verkehrsangelegenheiten bearbeiten. Die Planung des gesamten riesigen Werkes erfolgte zur gleichen Zeit von Ludwigshafen und Leuna aus, da sowohl die Sparte I wie auch die Sparte II an der Errichtung des Werkes beteiligt waren. Ich verweise hier auf die zahlreichen von der Anklage als Beweismittel vorgelegten Niederschriften ueber die Baubesprechungen in Ludwigshafen und Leuna. Seine Aufgaben als Bau- und Montageleiter erfuellte der Angeklagte Duerrfeld bis zum Herbst 1942 von Leuna aus. Erst im Laufe des Oktober 1942 verlegte er zusammen mit seinen technischen Mitarbeitern seinen Dienstsitz nach Auschwitz, wo er mit dem Beginn der eigentlichen Montagearbeiten die Leitung der Baustelle als Bau- und Montageleiter uebernahm. Seine Weisungen erhielt er im wesentlichen auf den bereits

#### OPENING STATEMENT DUERRFELD

erwachten Bausitzungen, in denen auch der Vorstand vertreten war. Zusammen mit den beiden Chemikern der Buna- und Synthesegruppe bildete er die Technische Leitung des Werkes. Am 19. April 1944 wurde er zusammen mit diesen beiden Chemikern Dr. Eisfeld und Dr. Braus zum Direktor ernannt. Verstaendlicherweise hatte Dr. Duerrfeld als Techniker in der Zeit des Aufbaues und der Montage des neuen Werkes die oertliche Leitung, die er mit dem Anlaufen der Produktion an einen Chemiker als Betriebsfuhrer abgeben sollte.

Beim Aufbau des Werkes Auschwitz der I.G. waren im wesentlichen vier Gruppen von Arbeitskraefte beschaeftigt: deutsche Arbeiter, freie auslaendische Arbeiter, englische Kriegsgefangene und Haeflinge des Konzentrationslagers Auschwitz. Als im Januar 1945 das Werk von den heranrueckenden sowjetischen Armeen geraeumt wurde, waren in ihm insgesamt etwa 30.000 Arbeiter eingesetzt. Unter ihnen befanden sich etwa 7.000 Haeflinge, da immer nur ein Teil der gesamten Belegschaft des Lagers IV zur Arbeit im Werk herangezogen wurde.

Die Haeflinge waren in den Jahren 1941 und 1942 fast ausschliesslich und im Jahre 1944 immer noch zu zwei Dritteln bei den eingesetzten Bau- und Montagefirmen unmittelbar beschaeftigt und erhielten auch von diesen ihre Arbeitsanweisungen. Auf die Rolle der der I.G.-Werksleitung uebergeordneten Bauleitung des Ruestungsministeriums (Rue-Bauleitung) wird im Laufe des Beweises



OPENING STATEMENT DUERRFELD

vortrags nachher einzugehen sein.

Was nun den Beweisvortrag der Verteidigung selbst anlangt, so wird dessen Richtung und Inhalt weitgehend durch das Beweismaterial der Anklage bestimmt. Schon jetzt aber kann nach Abschluss der Beweisaufnahme durch die Anklagevertretung folgendes festgestellt werden:

Eine Reihe von Behauptungen in der Anklageschrift sind durch die schriftlichen Beweismittel der Anklage und durch ihre Zeugen selbst widerlegt worden. Das gilt insbesondere auch fuer die in der Anklageschrift enthaltenen Zahlen ueber den Wechsel der Arbeitskraefte, fuer die aerztliche Versorgung der Haeftlinge und aehnliche Fragen. Ich verweise in diesem Zusammenhang auf den Inhalt des von der Anklagevertretung vorgelegten Krankenbuches des Lagers IV, fuer die Zeit vom 7. Juli 1943 bis zum 19. Juni 1944 (Anklagebeweisstueck 1493, Dokument NI-10186). In dieser Zeit wurden nicht weniger als 15.707 Haeftlinge zur stationaeren Behandlung in den Krankenbau des Lagers IV aufgenommen. Die Eintragungen in diesem Krankenbuch widerlegen ohne weiteres die in der Anklageschrift enthaltenen Behauptungen und die Angaben verschiedener Zeugen der Anklage.

Als ein weiteres Ergebnis der bisherigen Beweisaufnahme kann ferner schon jetzt festgestellt werden, dass die Verwaltung des Lagers IV (Monowitz), in dem die Haeftlinge vom 27. Oktober 1942 an untergebracht worden waren, ausschliesslich in den Haenden der zustaeendigen

Verwaltungsdienststellen der Reichsfuehrung-SS lag. Die I.G. hatte entsprechend den ergangenen Richtlinien lediglich die als Unterkuenfte dienenden Baracken einschliesslich der Inneneinrichtung zur Verfuegung gestellt, wobei sich dieses Lager in Bezug auf die Unterkuenfte und die Ausstattung - von den Sicherungsmassnahmen abgesehen - in keiner Weise von den Lagern unterschied, die von der I.G. fuer die deutschen und freien auslaendischen Arbeiter errichtet worden waren. Dies hat seinen Grund darin, dass das spaetere Lager IV zuerachst ueberhaupt nicht als Unterkunft fuer KL-Haeftlinge vorgesehen war, sondern als Arbeitslager fuer freie Arbeiter. Das Lager IV hatte daher auch - um nur ein Beispiel zu nennen - ebenso wie die anderen Lager eine eigene Zentralheizung.

Im uebrigen war dieses Lager IV eines der etwa 40 bis 50 SS-Arbeitslagern, die in ganz Oberschlesien verstreut lagen und verwaltungsmaessig und hinsichtlich der Bewachung und aerztlichen Versorgung dem Stammlager Auschwitz unterstanden. Der Kommandant des Lagers IV war an die Befehle und Weisungen des Kommandanten von Auschwitz gebunden. Dieser wiederum erhielt seine Befehle von dem Inspekteur der Konzentrationslager in Oranienburg und dem Chef des SS-Wirtschafts-Verwaltungshauptamtes. Soweit es sich um die Durchfuehrung polizeilicher und staatspolizeilicher Massnahmen handelte, ergingen die Befehle und Anordnungen unmittelbar von den zustaeendigen Aemtern des Reichssicherheitshauptamtes, naemlich vom Reichskriminal-



OPENING STATEMENT DUERRFELD

polizeiamt (Amt V des RSHA) und vom Geheimen Staatspolizeiamt (Amt IV des RSHA). Die Leitung des Werkes Auschwitz der I.G. hatte auch nicht die geringste Moeglichkeit, in die Verwaltung des Lagers IV und in die Behandlung der Haeftlinge in diesem Lager einzugreifen. Die Werksleitung musste sich vielmehr darauf beschraenken, durch Beschwerden und Anregungen bekannt gewordenen Missstaenden abzuholfen.

Es ist selbstverstaendlich im Rahmen dieser kurzen Eroeffnungserklaerung nicht moeglich, im einzelnen zu dem Beweismaterial der Anklage Stellung zu nehmen. Eines kann aber von der Verteidigung schon jetzt festgestellt werden und unser Beweisvortrag wird dies mit aller Eindringlichkeit bestaetigen: dass naemlich die Darstellung der Arbeitsbedingungen im Werk Auschwitz der I.G., wie sie die Zeugen in ihren eidesstattlichen Versicherungen gegeben haben, nicht mit der Wirklichkeit uebereinstimmt und dass es sich dabei um eine unzulessige und unverantwortbare Verallgemeinerung und Uebertreibung vereinzelter Vorfaelle handelt, die tatsaechlich im Laufe der Jahre an der einen oder anderen Baustelle vorgekommen sein moegen.

Das Beweismaterial der Verteidigung wird den eindeutigen Nachweis dafuer erbringen, dass es der Werksleitung der I.G. in Auschwitz trotz groesster durch den Krieg bedingten Schwierigkeiten gelungen ist, in verhaeltnismaessig kurzer Zeit dieses gewaltige Werk aufzubauen und dass

dieser Aufbau unter Arbeitsbedingungen erfolgte, die durchaus in Uebereinstimmung stehen mit den sozialen Grundsätzen, deren Beachtung fuer jeden deutschen Unternehmer seit vielen Jahrzehnten selbstverstaendlich ist. Das gilt insbesondere fuer den Angeklagten Dr. Duerrfeld, der neben der Erfuellung seiner technischen und organisatorischen Aufgaben die soziale Fuersorge fuer alle ihm anvertrauten Arbeitskraefte als einen Teil seiner Lebensaufgabe betrachtete.

Die Beweisaufnahme wird ferner zeigen, dass die Werksleitung in Auschwitz alles in ihren Kraeften Stehende getan hat, um auch die Arbeitsbedingungen fuer die Haeftlinge so guenstig wie moeglich zu gestalten. Es ist dies geschehen durch den Einsatz von Baumaschinen und anderen technischen Hilfsmitteln, wo immer das nur moeglich war. 200 Kilometer Normal- und Schmalspurgleise ueberzogen das ganze Werksgelaende, auf denen fast 100 Lokomotiven den Verkehr und den Transport vermittelten. Transportzuege von Lastkraftwagen ergaenzten auf den 32 Meter breiten Werksstrassen den Eisenbahnverkehr, eine gewaltige Anzahl von Kraenen, Baggern, Aufzuegen, Foerderbaendern und anderen Baumaschinen mechanisierten und erleichterten die Arbeit auf der Baustelle.

Auf der anderen Seite wurde von der Werksleitung schon sehr fruehzeitig versucht, die Haeftlinge entsprechend ihrer Vorbildung als Facharbeiter zu beschaeftigen. Die I.G. scheute auch keine Kosten und keine Muhe,



um in eigenst zu diesem Zweck eingerichteten Lehrgaengen eine moeglichst grosse Anzahl von Haeftlingen zu Schlossern, Mechanikern, Schweissern, Maurern und aehnlichen Fachberufen auszubilden. An fast allen Baustellen und bei fast saemtlichen Montagearbeiten arbeiteten die Haeftlinge mit den deutschen und freien auslaendischen Arbeitern zusammen, so dass allein schon aus diesem Grund ein besonders scharfes Arbeitstempo als voellig ausgeschlossen bezeichnet werden muss. Wo immer es nur ging, wurde von der Werksleitung und von den Bau- und Montagefirmen der Tatsache Rechnung getragen, dass von den Haeftlingen nur eine verminderte Leistung erwartet werden konnte. Die von der Anklage vorgelegten Niederschriften ueber die Bau-sitzungen lassen dies uebrigens mit aller Deutlichkeit erkennen. Bei der Berechnung und Festsetzung der Arbeitsaufgaben der Haeftlinge ist daher im Durchschnitt kein hoeherer Satz als 50 - 70 % der Leistung eines freien Arbeiters zugrunde gelegt worden. Nur am Rande sei hier erwaehnt, dass eine grosse Anzahl von Haeftlingen als Zeichner, Buchhalter, im Lohnbuero und bei aehnlichen qualifizierten Arbeiten beschaeftigt wurden.

In der Anklageschrift wird der Eindruck zu erwecken versucht, als ob die Unterbringung der Haeftlinge in unmittelbarer Nahe des Werkes im Lager IV in besonderer Weise eine verwerfliche Einstellung der Werksleitung der I.G. erkennen lasse. Tatsache ist aber, dass gerade dadurch sich die Lebens- und Arbeitsbedingungen der

Haeftlinge nicht unwesentlich verbessert haben. Es kam nicht nur der umstaendliche An- und Abtransport von dem etwa 8 km entfernten Stammlager Auschwitz zum Werk und zurueck in Wegfall , sondern die Haeftlinge kamen auf diese Weise aus den offenbar erheblich unguenstigeren allgemeinen Verhaeltnissen des grossen Stammlagers Auschwitz heraus. Dies war nicht zuletzt im Hinblick darauf von Bedeutung, dass das grosse Konzentrationslager Auschwitz wiederholt von schweren Fleckfieberepidemien heimgesucht wurde und es zu keiner Zeit gelungen ist, dort die Seuchengefahr endgueltig zu beseitigen. Die Unterbringung der Haeftlinge in einem vom Stammlager getrennten Arbeitslager setzte die Werksleitung der I.G. in Auschwitz ausserdem in den Stand, die Verpflegung der Haeftlinge dadurch zu verbessern, dass der Ankauf und die Lieferung der Lebensmittel nach den vom Reichsernährungsministerium festgesetzten Richtlinien und Verpflegungssatzen einschliesslich der Schwerarbeiterzulage uebernahm. Die Zubereitung und Verteilung der Lebensmittel war dann allerdings wieder ausschliesslich eine Angelegenheit der Lagerverwaltung, auf die die Werksleitung keinen Einfluss nehmen konnte. Die bereits in der Beweisaufnahme wiederholt erwahnte Buna-Suppe ist den Haeftlingen im Werk von der I.G. zusaetzlich verabreicht worden.

Nach langwierigen Verhandlungen mit der Lagerverwaltung ist es der Werksleitung allmaehlich auch



gelungen, die Wachmannschaften der SS aus dem eigentlichen Werksgelaende herauszunehmen. Sie wurden von Anfang 1943 an als Postenkette ausserhalb des Werkszaunes aufgestellt.

Die Beweisaufnahme wird ferner den eindeutigen Nachweis dafuer erbringen, dass die Werksleitung schon beim Auftreten der ersten Missstaende ein strenges Verbot erlassen hat, einen Arbeiter oder Haeftling koerperlich zu misshandeln. Nicht zuletzt der Angeklagte Dr. Duerrfeld hat auf die strenge Einhaltung dieses Verbotes auf allen groesseren Besprechungen und gegenueber den Vertretern der etwa 250 Bau- und Montagefirmen hingewiesen. Wenn immer eine Uebertretung dieses Verbotes bekannt wurde, hat die Werksleitung die Schuldigen zur Rechenschaft gezogen und gegebenenfalls Beschwerden beim Kommandanten des Lagers erhoben.

Es kann selbstverstaendlich nicht Aufgabe dieser einleitenden Erklaerung sein, im einzelnen schon eine Uebersicht ueber das Beweismaterial der Verteidigung zu geben. Auch die Anklagevertretung beschraenkte sich in ihrer Eroeffnungsrede darauf, ohne Bezugnahme auf bestimmte Beweismittel eine Darstellung der Arbeitsbedingungen im Werk zu geben, wie sie ihr zur Begruendung der Behauptungen in der Anklageschrift erforderlich erschien. Es muss aber schon jetzt die Aufmerksamkeit des Gerichts auf eine Tatsache gelenkt werden, die bei der Wuerdigung der gesamten Beweisaufnahme nicht wird ausser Betracht bleiben duerfen: dass sich naemlich die Verteidigung im Hinblick

OPENING STATEMENT DUERRFELD

auf die besonderen durch den Zusammenbruch Deutschlands bedingten Verhaeltnisse und wegen der Verschiedenartigkeit in der Herkunft der Arbeiter im Werk Auschwitz in einem offensichtlichen B e w e i s n o t s t a n d befindet. Hinzu kommt, dass die in Deutschland gegruendeten Vereinigungen der ehemaligen Haeftlinge der Konzentrationslager es ihren Mitgliedern unter Androhung des Ausschlusses und damit des Verlustes aller Verguenstigungen verboten haben, der Verteidigung Beweismaterial und insbesondere eidesstattliche Versicherungen zur Verfuegung zu stellen. Wir werden zur gegebenen Zeit darueber Urkundenmaterial vorlegen.

Andererseits leben viele auslaendische Arbeiter und ehemalige Haeftlinge des Lagers IV, die im Werk Auschwitz der I.G. beschaeftigt waren, heute in ihrer Heimat unter politischen Bedingungen, die es ihnen einfach unmoeglich machen, freiwillig durch Abgabe von eidesstattlichen Versicherungen eine wahrheitsgemaesse Darstellung der wirklichen Arbeitsbedingungen in diesem Werk der I.G. zu geben. Es kann von der Verteidigung nicht erwartet werden, dass sie durch Stellung von Beweisantraegen bei diesem Gericht die Freiheit dieser Zeugen in Gefahr bringt. Umso groesse- res Gewicht muss unter diesen Umstaenden den Feststellungen der Arbeiter und Meister der I.G. und der zahlreichen Bau- und Montagefirmen und vor allem den Aussagen derjenigen Haeftlinge beigemessen werden, die trotz der gegenwaertig bestehenden Verhaeltnisse den Mut aufgebracht



#### OPENING STATEMENT DUERRFELD

haben, sich der Verteidigung zur Verfügung zu stellen und eine Schilderung der Arbeitsbedingungen im Werk zu geben, wie sie in Wirklichkeit bestanden haben. Die Vorlage dieses Beweismaterials wird dem Gericht zeigen, dass das von der Anklage entworfene Bild ein Zerrbild ist, das von der Wahrheit sehr weit entfernt ist. Denn wie könnte es sonst zu erklären sein, dass zum Beispiel ein Häftling, der Volljude ist und in einer Reihe von Konzentrationslagern war, in seiner eidesstattlichen Versicherung, die zusammen mit vielen anderen ähnlicher Art von der Verteidigung vorgelegt werden wird, zu folgenden Feststellungen kommt:

"Ich bin Volljude. Mein Vater kam im KL Dachau ums Leben. Meine Mutter und Schwester wurden in Auschwitz-Birkenau vergast. Ich selbst wurde mit meinem Vater in Italien verhaftet und nach Deutschland ausgeliefert, als wir uns vor dem Zugriff der Gestapo in Sicherheit bringen wollten. ...  
Für die Zustände im Lager Buna ist nach meiner Auffassung ausschliesslich die SS und nicht die I.G. verantwortlich; denn die Regie und die Aufsicht im Lager Buna oblag ausschliesslich der SS. Die I.G. hatte keinen Einfluss auf die Lagerführung und die I.G.-Leute hatten gar nicht das Recht, ohne weiteres das Lager zu betreten. ..."

Nachdem der Zeuge zu der Behauptung der Anklage Stellung genommen hat, ob im Lager IV Folterplätze vorhanden waren und ob sich dort auch jugendliche Häftlinge befanden, fährt er wortlich fort:

"Es ist auch nicht richtig, dass Häftlinge durch die I.G. oder ihre Organe wegen unzureichender Arbeitsleistung misshandelt wurden. Es kam zwar gelegentlich vor, dass SS-Organen durch Kapos Häftlinge misshandelt, aber soweit dies der I.G.-Werksleitung bekannt wurde, ist sie dagegen sofort eingeschritten."

Dass Haeftlinge wegen mangelnder Arbeitsleistung bestraft wurden, habe ich nicht erlebt. In der Hauptsache wurden die Haeftlinge dann bestraft, wenn sie entgegen dem von der SS erlassenen Verbot mit den im Werk anwesenden Zivilpersonen Verbindung aufnahmen. ...."

Nach einer eingehenden Schilderung der Verhaeltnisse hinsichtlich der Arbeitszeit im Werk und in Bezug auf Verpflegung, Unterbringung, Bekleidung und aerztlicher Versorgung schliesst dieser ehemalige Haeftling - der an einer zu guenstigen Darstellung der Zustaende nach seinen eigenen schweren Erlebnissen sicher kein Interesse haben kann - seine eidesstattliche Versicherung mit folgenden Worten:

"Es ist richtig, dass arbeitsunfaehige Haeftlinge im Lager IV haeufig nach Birkenau oder Auschwitz I abtransportiert wurden. Es ist moeglich, dass manche dort getoetet wurden; ich erinnere mich aber auch genau, dass ich einige Haeftlingskameraden, die als arbeitsunfaehig aus dem Buna-Lager abtransportiert wurden, spaeter im Hauptlager gesund wieder angetroffen habe, so dass ich annehmen muss, dass sie nach ihrem Abtransport aus dem Buna-Lager im Hauptlager ausgeheilt wurden. Von einem 300%igen Umsatz an Haeftlingen im Lager IV kann gar keine Rede sein. Vielleicht ist diese Auffassung dadurch entstanden, dass in den ersten Jahren ein oeffterer Wechsel des Personalbestandes dadurch eintrat, dass Verschiebungen unter den einzelnen Lagern vorgenommen wurden. So wurden z.B. im Maerz 1943 einige Blocks mit ca. 2.000 Haeftlingen mit den Blockaeltesten ( ich erinnere mich an die Namen Hermann Dimanski und Van Felsen) geschlossen in ein anderes Lager ueberfuehrt, ohne dass mir die Gruende hierfuer bekannt sind.

Zusammenfassend moechte ich um der Gerechtigkeit willen ausdruuecklich erklaeern, dass die Haeftlinge, die bei der I.G. arbeiteten, es bezueglichen Unterbringung, Verpflegung, Kleidung usw. besser hatten als andere KZ-Haeftlinge. Ich fuehre das auf das Betreiben der I.G.-Leitung zurueck. Deswegen ist es auch nicht richtig, dass taeglich bis zu 100 Haeftlinge am Arbeitsplatz starben. Ich erinnere mich allerdings an



einige Einzelfaelle, bei denen ein Haeftling am Arbeitsplatz starb. Aber mit den Leistungsforderungen der I.G. und mit der Behandlung durch die I.G. hatte das nichts zu tun.

Endlich moechte ich ferner betonen, dass das Buna-Lager gegenueber Birkenau ein Paradies war. Ich habe mich waehrend meiner ganzen KZ-Zeit nirgends so sicher vor dem Tod gefuehlt wie im Buna-Lager. Deshalb kann ich mir die mir bekanntgegebenen Ausfuehrungen in der Anklageschrift ueber das I.G.-Werk Auschwitz und das dort befindliche Arbeitslager nur so erklaren, dass hier eine Verwechslung mit dem Lager Birkenau vorgekommen ist. ..."

●  
Aehnlich aeussert sich ein anderer ehemaliger Haeftling des Lagers IV, der ebenfalls Jude ist und volle drei Jahre in diesem Lager zugebracht hat. Nachdem er vorher in den Konzentrationslagern Buchenwald, Gross-Rosen, Dachau und Auschwitz I war, kam er am 27. Oktober 1942 mit den ersten Haeftlingen nach Monowitz in das Lager IV, wo er bis zur Raeeung des Lagers am 18. Januar 1945 blieb. Er arbeitete taeglich im Werk. Nach einer eingehenden Schilderung der Verhaeltnisse hinsichtlich der Unterbringung im Lager IV, der Verpflegung und der aerztlichen Versorgung kommt der Zeuge bei der Behandlung der Arbeitsbedingungen im Werk zu folgenden Feststellungen:

●  
"Die Arbeitskommandos waren jeweils den Bau- und Montagefirmen der I.G.-Farben unterstellt und hatten nichts mit der Direktion der I.G. unmittelbar zu tun. Die Bewachung erfolgte in der ersten Zeit auch am Arbeitsplatz durch SS-Leute, waehrend spaeter diese Bewachung fortfiel und dadurch der Haeftling sich frei innerhalb des I.G.-Werkes bewegen konnte. Ein Disziplinar- oder Strafrecht haben die I.G. oder ihre beauftragten Firmen nie besessen und auch nie ausgeuebt. Es ist mir bekannt, dass es die I.G. ihren Gefolgschaftsmitgliedern streng verboten hatte, Haeftlinge in irgendeiner Weise zu misshandeln.

# OPENING STATEMENT DUERRFELD

Ich weiss sogar zwei Faelle, wo die Monteure der M/N bei der politischen Leitung des Lagers wegen einer Misshandlung von Haeftlingen durch die I.G. angezeigt und auch mit einem strengen Verweis bestraft worden sind.

Das Arbeitstempo auf den Baustellen war jeweils der Arbeit angepasst und stand im Verhaeltnis zu den Kraefte der Haeftlinge, ohne dass es als moerderisch bezeichnet werden koennte. Im allgemeinen hat sich im I.G.Werk niemand tot gearbeitet, sondern sich geschont, wo immer er konnte. ..."

Nach einer Schilderung des von der Werksleitung der I.G. eingerichteten Praemiensystems und einer Stellungnahme zu den Veraenderungen in der Belegschaft des Lagers IV kommt dieser Zeuge zu folgender abschliessenden Feststellung:

"Es ist falsch, wenn man behauptet, dass taeglich auf den Arbeitsstellen zahlreiche Haeftlinge an Erschoepfung gestorben seien. Es sind wohl Sterbefaelle an den Arbeitsplaetzen vorgekommen, deren Ursache war aber keinesfalls in der Arbeitsleistung zu suchen.

Zusammenfassend kann ich sagen, dass es den Haeftlingen, die bei der I.G. arbeiteten, in Vergleich zu anderen Konzentrationslagern Deutschlands besser ging. Denn sie waren gut untergebracht und konnten sich im Werk wie freie Arbeiter bewegen. Dadurch war ihnen die Moeglichkeit gegeben, sich mit den freien Arbeitern in Verbindung zu setzen und durch diese Verbindung ihr Los psychologisch und auch materiell zu erleichtern. Es hat bestimmt nicht im Interesse der Direktion der I.G. gelegen, das Los der Haeftlinge zu erschweren. Mir ist kein Fall bekannt, wo die Direktion gegen die Fuchlungnahme mit den freien Arbeitern eingeschritten waere. Dies waere praktisch auch unmoglich gewesen, da wir als Haeftlinge neben den freien Arbeitern Hand in Hand gearbeitet haben. Diese Behandlung gab uns die innere Ruhe und Sicherheit, dass wir unbesorgt die Dauer unserer Haft zu ueberstehen hoffen konnten.

Die der Direktion der I.G. in der Anklageschrift vorgeworfenen Grauel, wie sie in Monowitz passiert sein sollen, sind nach den Erfahrungen meiner dreijaehrigen Haeftlingszeit in Monowitz als voellig unbegrundet zu bezeichnen."



Als drittes und letztes Beispiel seien einige Feststellungen in der eidesstattlichen Versicherung eines ehemaligen Häftlings erwähnt, der in das Lager IV kam, nachdem er bereits längere Zeit in den Konzentrationslagern Mauthausen und Gusen und verschiedenen anderen Lagern gewesen war. Er kommt nach einer eingehenden Darstellung der Arbeitsbedingungen im Werk Auschwitz der I.G. zu folgender Schlussfolgerung:

"... Ich habe in den Jahren meines Aufenthalts in Monowitz die Überzeugung gewonnen, dass die I.G.-Farbenindustrie den Häftlingseinsatz nicht als etwas Erwünschtes ansah, sondern ihn als ein unvermeidbares Übel und eine schwere Belastung empfand; dass sie ferner im Rahmen der ihr gegebenen Möglichkeiten alles versuchte, um die Lebensbedingungen der Häftlinge ständig zu verbessern und sie menschlich und anständig zu gestalten.

Ich gebe abschliessend meiner Überzeugung Ausdruck, dass Tausende von Häftlingen - und vor allem Juden - den im Vergleich zu anderen Arbeitslagern besseren Unterbringungs- und Verpflegungsverhältnissen in Monowitz und den viel besseren Arbeitsbedingungen im I.G.-Werk die Rettung ihres Lebens verdankten. ..."

Der Widerspruch zwischen den Aussagen dieser Zeugen und dem weiteren Beweismaterial der Verteidigung auf der einen Seite und den Angaben verschiedener Zeugen und den eidesstattlichen Versicherungen der Anklage auf der anderen Seite ist offensichtlich und kann nicht ueberschon werden. Die Anklagevertretung wird davon nicht ueberrascht sein - hatte sie doch Gelegenheit durch Vernehmung vieler Häftlinge und einer grossen Anzahl von Meistern und Vorarbeitern der I.G. und der zahlreichen Bau- und Montagefirmen sich ein einigermaßen zutreffendes Bild von den wirklichen Verhältnissen im Werk Auschwitz der I.G. zu

OPENING STATEMENT DUERRFELD

verschaffen. Bei der Wuerdigung des Ergebnisses der gesamten Beweisaufnahme wird Gelegenheit sein, auf diese Widersprueche in den Aussagen der Zeugen im einzelnen einzugehen und es wird sich dann zeigen, dass die Zeugen der Verteidigung der Wahrheit deshalb sehr viel naeher kommen, weil sie sich bei ihren Aussagen nicht leiten liessen von menschlich vielleicht verstaendlichen Gefuehlen, von politischen Absichten oder anderen persoentlichen Erwaegungen.

Das gleiche gilt fuer den Versuch der Anklagevertretung, mit allen Mitteln einen Zusammenhang herzustellen zwischen den Anordnungen der Werksleitung der I.G. und den Arbeitsbedingungen in diesem Werk auf der einen Seite und den Ausrottungsmassnahmen gegen die Juden in dem Konzentrationslager Birkenau auf der anderen Seite. Ein solcher Zusammenhang hat zu keiner Zeit bestanden und es liegt nicht der geringste Nachweis dafuer vor, dass die Werksleitung der I.G. in Auschwitz irgend welche Befehle oder Anordnungen erteilt hat, die ihr in diesem Zusammenhang als Verschulden angerechnet werden koennten.

Soweit die Zeugen der Anklage sich zu dieser Frage geaeussert haben, handelte es sich hier ausschliesslich um Vermutungen und Schlussfolgerungen. Kein einziger Zeuge konnte Tatsachen angeben, die auch nur entfernt die Annahme eines rechtswidrigen und schuldhaften Verhaltens irgendeines Mitgliedes der Werksleitung rechtfertigen koennten.



Das Beweismaterial der Verteidigung wird im Gegenteil zeigen, dass - um nur ein einziges Beispiel zu erwahnen - die von der Verwaltung des Lagers IV der Werksleitung gegebenen Zahlen ueber die Belegschaft des Lagers derart war, dass irgendwelche Bedenken auf Seiten der Werksleitung ueberhaupt nicht auftreten konnten. Solche Bedenken konnten sich umso weniger geltend machen, als diese Zahlen nicht nach Zugangen und Abgaengen aufgliedert waren, sondern lediglich den jeweiligen Ist-Bestand in der Belegschaft des Lagers erkennen liessen. Dieser aber war wegen des immer umfangreicher werdenden Einsatzes von Haefitlingen auf der Baustelle und der Vergroesserung des Lagers staendig im Anstiegen gewesen.

Wie immer aber auch das Gericht nach Abschluss des ganzen Beweisverfahrens den gesamten Sachvorhalt beurteilen und welche Schlussfolgerungen es daraus ziehen mag, eine Tatsache laesst uns mit Zuversicht dem Ergebnis dieses Prozesses und seiner spaeteren Wuerdigung entgegen sehen: dass naemlich nicht nur heute noch in Auschwitz die gewaltigen Fundamente dieses riesigen Werkes stehen, das unter deutscher Leitung von Technikern und Arbeitern aus fast allen Laendern Europas gemeinsam mit deutschen Arbeitern unter den schwierigsten, durch den Krieg bedingten Verhaeltnissen aufgebaut wurde, sondern dass in fast allen Laendern Europas einschliesslich Deutschlands heute noch Zehntausende von ehemaligen Angehoerigen der Werksbelegschaft leben, die noch in vielen Jahren Zeugnis

OPENING STATEMENT DUERRFELD

ablegen werden von den Verhaeltnissen und Arbeitsbedingungen, wie sie im Werk Auschwitz der I.G. wirklich bestanden haben.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Fritz G A J E W S K I

German



*Defense  
Case 6*

Eröffnungsansprache  
von Dr. jur. Ernst Achenbach  
Rechtsanwalt in Essen

vor dem Amerikanischen Militäergericht No. VI  
im Fall VI

Vereinigte Staaten von Amerika  
gegen  
Prof. Krauch und andere

fuer

Dr. Fritz Gajewski.

Muernberg, Dezember 1947.

*Genu*





Herr Praesident, meine Herren Richter.

Bevor ich dem Gericht meine eigene Meinung ueber die angeblichen Verbrechen vortrage, die die Anklagebehoerde diesen Angeklagten zur Last legt, moechte ich dem ausserordentlichen Ausmass von Energie und subtiler Intelligenz meinen Tribut zollen, die von den sehr faehigen Vertretern der Anklagebehoerde auf den Versuch verwandt worden sind zu beweisen, dass diese Angeklagten, von denen die meisten unter den fuehrenden Geschaeftsleuten, Industriellen und Wissenschaftlern der ganzen Welt und nicht zuletzt Ihres eigenen Landes, meine Herren Richter, wohl bekannt und hochgeachtet sind, in Wirklichkeit dunkelste Erscheinungen sind, irgendwie noch schlimmer als Hitler selbst. Ich wage zu sagen, dass trotz all ihrer Faehigkeit und Intelligenz es der Anklagebehoerde nicht gelungen ist, diese unmögliche Aufgabe zu bewaeltigen, und mit der guetigen Erlaubnis des Gerichts moechte ich meine Zweifel an der politischen Weisheit ihrer Entscheidung, diese Aufgabe in Angriff zu nehmen, nicht verschweigen.

Es gibt eine unverantwortliche Art, Leuten Schilder anzustecken, in die man nicht verfallen sollte, wenn man die Herrschaft von Gerechtigkeit und Freiheit aufrichten will, nach der wir uns alle sehnen und fuer deren Unterstuetzung viele der besten Buerger dieser ungluecklichen deutschen Nation noch mit gluehender Hoffnung, die nicht enttauscht werden darf, nach jenem grossen Land der Freiheit jenseits des Atlantik anschau halten, das so

bewunderungswürdig und begeistert in der Poesie von Walt Whitman beschrieben ist. Man findet leider diese bedauerliche Gewohnheit in einigen anderen Teilen der Welt, aber man sagt mir, dass einer der leitenden Grundsätze Ihres Landes, meine Herren Richter, der ist, der Verbreitung dieser Methoden Einhalt zu gebieten. Der Herr Hauptankläger hat uns in seiner Eröffnungsrede an die Tatsache erinnert, dass man uns in der Borgpredigt gelehrt hat, nicht zu richten, damit wir nicht gerichtet werden. Während ich mir den Rest seiner Rede, insbesondere seinen letzten Satz anhörte, konnte ich nicht umhin, den Eindruck zu gewinnen, dass er die tiefe Weisheit dieser Regel vergessen hatte.

Die Anklagebehörde zögert nicht, allen Angeklagten Verbrechen gegen den Frieden zur Last zu legen. Sie sollen angeblich Angriffskriege geplant, vorbereitet, begonnen oder geführt haben und an einem gemeinsamen Plan oder einer Verschwörung zur Durchführung solcher Angriffskriege teilgenommen haben. Die Verteidigung trägt vor, dass nicht einmal ein prima facie Beweis erbracht worden ist. Wie ich schon Gelegenheit hatte dem Gericht auseinander zu setzen, hat die Anklagebehörde in der Tat bewiesen - aber insoweit hatten wir eine Vereinbarung treffen können - dass die I.G.-Farben ein grosses Unternehmen war, dass sie ein leistungsfähiges Unternehmen war und dass sie, wie viele andere Unternehmen in Deutschland, an der deutschen Aufrüstung teilgenommen hat, gerade so wie unzählige Unternehmen in anderen Ländern an der Rüstungsproduktion in ihren Ländern teilgenommen haben.



Die Anklagebehörde scheint zu glauben, dass dies genügt, um gegenüber allen Angeklagten ein Verbrechen gegen den Frieden darzutun. Ich darf dem Hohen Gericht vortragen, dass das nicht genügt. Es genügt nicht dem Internationalen Militärgericht. In den Gründen seines Urteils betreffend den Angeklagten Schacht wird erklärt:

"Es ist klar, dass Schacht eine Zentralfigur bei Deutschlands Wiederaufbauprogramm darstellte, und die Massnahmen, die er ergriff, besonders in den ersten Tagen des Nazi-Regimes, waren fuer Nazi-Deutschlands schnellen Aufstieg als Militaermacht verantwortlich. Aber die Aufbaustellung an sich ist nach dem Statut nicht verbrecherisch. Wenn sie ein Verbrechen gegen den Frieden laut Art.6 des Statuts darstellen sollte, so muessste gezeigt werden, dass Schacht diese Aufbaustellung als einen Teil des Nazi-plans zur Fuehrung von Angriffskriegen durchfuehrte."

Beabsichtigen die Anklagevertreter wirklich, ueber die in diesem Urteil niedergelegten Grundsaeatze hinauszugehen?  
Beabsichtigen sie, sich auf Art.II 2 f des Kontrollratsgesetzes Nr.10 zu stuetzen, nach dem es scheinen koennte, dass jeder, der in Deutschland eine gehobene politische, staatliche oder militaerische Stellung oder eine solche im finanziellen, industriellen oder wirtschaftlichen Leben innegehabt hat, automatisch der Beghung eines Verbrechens gegen den Frieden schuldig erachtet wird? Hohes Gericht, ich kann mir das einfach nicht vorstellen. Ich kann mir nicht vorstellen, dass es der Sinn dieser Bestimmung sein soll, die Rechtsgrundlage fuer die Massenbestrafung von tausend und abertausend ehrenhaften Staatsbuergern abzugeben. Ich kann mir keinen in dem Geist des wahren Liberalismus, der Freiheit und Demokratie aufgewachsenen Juristen vorstellen, der daran denken wuerde, dieser Bestimmung diese Auslegung zu geben.

Ich will nicht unfair sein und behaupten, dass die Anklagebehörde die Gefahr einer solchen Auslegung nicht gesehen habe. Ich zitiere aus General Taylor's Rede:

"Wir glauben, dass diese Bestimmung nicht beabsichtigt, automatisch allen Inhabern gehobener Stellungen Schuld im Sinne des Strafrechts beizumessen, sondern dass sie eher bedeutet, dass berechnete und vernünftige Schlüsse aus der Tatsache gezogen werden können, dass ein Angeklagter eine solche Stellung innehatte und dass sie ihm die Last auferlegt, die Schlüsse, die andernfalls gezogen werden könnten, zu widerlegen."

Was General Taylor offensichtlich zu tun versucht, ist dies. Er will die Beweislast umkehren. Praktisch gesprochen bedeutet dies jedoch das Gleiche, als würde er die oben erwähnte Bestimmung doch in der angegebenen unmöglichen Weise auslegen. Und da können wir ihm einfach nicht folgen. Wir alle kennen das alte lateinische Wort: negativa non sunt probanda. Dies ist nicht ein Entnazifizierungsgericht, dies ist ein Kriminalgericht und wir müssen uns deshalb an den von dem Strafrecht aller zivilisierten Nationen anerkannten elementaren Grundsatz halten, dass, wenn jemand bestraft werden soll, seine persönliche Schuld nachgewiesen werden muss. In diesem gleichen Gerichtsgebäude hat das Militärgericht II am 16.4.47 im Fall Vereinigte Staaten von Amerika gegen Erhard Milch diesen fundamentalen Grundsatz berechneten Ausdruck verliehen, indem es erklärte:

"Wir dürfen niemals, weder in Taten noch in Worten, versäumen, die Volligkeit dessen aufrecht zu erhalten, was wir gewohnt sind zu kennen als 'due process of law', und zwar in der gleichen Weise auf dem Gebiet des Zivilen und des Strafrechts, wie auf dem des innerstaatlichen und internationalen Rechts. Wenn der Stand der Zivilisation in der Welt gehoben werden soll, so



muss dies der erste Schritt sein. Jeder andere Weg führt nur zu Tyrannei und Chaos. Dieses Gericht muss vor allen anderen in Anerkennung dieser augenscheinlichen Grundsätze handeln. Wenn es darin fehlerhaft ist, so ist sein ganzer Zweck vernichtet und dieser Prozess wird zum Scheitern. Zwei wichtige Forderungen sind die entscheidende Grundlage dieser Rechtsanschauung:

- 1) jede eines Verbrechens angeklagte Person gilt als unschuldig und
- 2) diese Vermutung der Unschuld begleitet sie, bis die Schuld über jeden vernünftigen Zweifel hinaus bewiesen ist.

Solange das Gericht, das den Beweisvortrag hört, nicht bis zu dem Grade moralischer Gewissheit von der Schuld überzeugt ist, muss die Vermutung der Unschuld fortfahren, den Angeklagten zu schützen. Wenn sich die aus dem Beweisvortrag ergebenden Tatsachen in gleicher Weise mit Schuld und Unschuld vereinbaren lassen, so muss nach der Seite der Unschuld entschieden werden. Nach dem amerikanischen Recht soll weder das Leben noch die Freiheit leichtfertig angetastet werden, und so lange nicht beim Schluss des Beweisvortrags bei dem urteilssprechenden Gericht eine zwingende Überzeugung von der Schuld vorhanden ist, dürfen die Angeklagten nicht verurteilt werden."

Für unseren Fall bedeutet das, dass sich diese Angeklagten nur dann eines Verbrechens gegen den Frieden schuldig gemacht haben, wenn sie wussten, dass ihre Regierung spezifische Angriffskriegspläne hatte und wenn sie mit klarem und spezifischem Wissen von diesen Angriffsplänen wesentlich bei der Verwirklichung dieser Pläne Hilfe leisteten.

Hat Hitler ihnen seine Pläne mitgeteilt? Er hat das gewiss nicht getan. Ich darf Ihnen, meine Herren Richter, vortragen, dass er den Angeklagten und dem deutschen Volk das genaue Gegenteil mitgeteilt hat. Ist es nicht bezeichnend, meine Herren Richter, in diesem Zusammenhang, dass Hans Fritzsche, der die Aufgabe hatte, das deutsche Volk durch die deutsche Presse und den deutschen Rundfunk über

das, was sich ereignete, zu unterrichten, vom Internationalen Militaergericht freigesprochen wurde?

Trotzdem scheint die Anklagebehörde behaupten zu wollen, dass es dem deutschen Volk allgemein bekannt war, dass Hitler Angriffskriege zu fuhren beabsichtigte. Als ihren Kronzeugen hat die Anklagebehörde Hitler's Dolmetscher gebracht. Nun, was auch immer man ueber ihn und das, was er im Kreuzverhoer zuzugeben gezwungen war, sagen mag, eins ist gewiss, er ist nicht ein Zeuge, der irgendetwas aussagen koennte ueber das, was allgemein bekannt war. Wenn man wissen will, was allgemein bekannt war, so muss man sich den Dingen zuwenden, die die deutsche Presse und der deutsche Rundfunk der deutschen Bevoelkerung ueber die Erklaerungen und Absichten ihrer Regierung zur Kenntniss brachten. Sie werden finden, meine Herren Richter, dass das Wort Frieden weit haeufiger vorkam, als das Wort Krieg.

Im Rahmen der Gesamtverteidigung wird es meine Aufgabe sein, dem Gericht das Beweismaterial darueber vorzulegen, was allgemein bekannt oder nicht bekannt war. Damit jedoch kein Missverstaendnis ueber meine Auffassung besteht, moechte ich sagen, dass diese Frage nach den klaren Entscheidungsgruenden des Inter-nationalen Militaergerichts unerhoeblich ist. Um Wiederholungen zu vermeiden, moechte ich mich insoweit auf den Antrag beziehen, den mein Kollege v. Metzler gestern dem Gericht vorgetragen hat. Ich werde daher dieses Beweismaterial betreffend das, was allgemein bekannt war, nur dann vorlegen, wenn das Gericht eine von dem Urteil des Internationalen Militaergerichts abweichende Haltung einnehmen sollte. Schon



jetzt moechte ich jedoch einige Worte zu dem Argument sagen, dass durch die auslaendische Presse und das auslaendische Radio das deutsche Volk und diese Angeklagten andere Dinge gehoert haben. Ich glaube, dass der gesunde Mensch unverstand uns ohne lange Diskussionen erkennen laesst, was ein solches Argument wert sein wuerde. Ich bin der Meinung, dass man von dem normalen anstaendigen Buerger irgendeines Landes <sup>nicht</sup> erwarten kann, dass er davon ausgeht, dass seine Regierung von Hause aus betruegerisch ist und dass ihre Gegner im Ausland immer recht haben. Soweit ich weiss, sind in Amerika Ausschuesse eingesetzt zur Untersuchung sogenannter unamerikanischer Umtriebe. Und, soweit ich unterrichtet bin, glauben diese, dass Leute, die, statt sich an die offiziellen Richtlinien ihrer eigenen rechtmassigen Regierung zu halten, ihre Ansichten und ihr Verhalten nach aus dem Ausland stammenden Befehlen ausrichten, nicht gerade die besten Buerger sind. Diese Ausschuesse scheinen in der Tat zu glauben, dass eine gewisse Loyalitaet dem eigenen Lande und dessen rechtmassiger Regierung gegenueber nicht ein Zeichen besonderer Dummheit, nicht einmal unbedingter voller Billigung jeder Regierungsentscheidung, sondern eher ein Zeichen nationaler Anstaendigkeit ist, ohne die kein Staat und keine Gesellschaftsordnung aufrecht erhalten werden koennte. In diesem Zusammenhang moechte ich die Aufmerksamkeit des Gerichts auf eine sehr interessante Entscheidung des Supreme Court der Vereinigten Staaten lenken, die am 25. Mai 1931 in dem Fall McIntosh ergangen ist. McIntosh, ein kanadischer Theologieprofessor, der seine Einbuengerung als Buerger der Vereinigten Staaten

erbat, war bereit, die Loyalitaetserklaerung fuer seinen neuen Staat zu unterschreiben, jedoch mit dem Vorbehalt, dass er das Recht beanspruchte, selbst zu entscheiden, ob ein in der Zukunft von den Vereinigten Staaten gefuehrter Krieg als gerecht oder ungerecht anzusehen sei. In letzterem Falle, so erklarte er, wuerde er nicht in der Lage sein, seinem neuen Staate Hilfe zu leisten. Der Supreme Court entschied, dass, wenn auch die Bereitschaft bestehe, die sogenannten Kriegsdienstverweigerer aus Gewissensgruenden anzuerkennen, das Gericht nicht akzeptieren koenne, dass ein Buurger der Vereinigten Staaten erklare, es stehe ihm die Entscheidung darueber zu, ob er in einem konkreten Kriegsfall seiner Regierung Hilfe leisten wolle oder nicht.

"Wenn ich mich nun im Hinblick auf die unter Ziffer I der Anklageschrift erhobenen Anklagen meinem Mandanten zuwende, so moechte ich nur erklaren, dass er nicht wusste, das Hitler Angriffskriege plante. Als gradlinige Persoonlichkeit hatte er im Gegenteil bis zum Kriegsausbruch Vertrauen in Hitlers wiederholte feierliche Friedensversprechen. Aus den vielen Beispielen werde ich hier nur einige wenige zitieren. In seiner Rede vor dem deutschen Reichstag am 17. Mai 1933 fuehrte Hitler aus:

"Mein neuer europaeischer Krieg waere in der Lage, an Stelle der unbefriedigenden Zustaeude von heute etwas besseres zu setzen. Im Gegenteil. Weder politisch noch wirtschaftlich koennte die Anwendung irgendwelcher Gewalt in Europa eine guenstigere Situation hervorgerufen, als sie heute besteht. Selbst bei ausschlaggebendem Erfolg einer neuen europaeischen Gewaltloesung wuerde als Endergebnis eine Loesung der Stoerung des europaeischen Gleichgewichts eintreten und damit, so oder so, der Feind fuer spaetere neue Gegensatze und neue Verwicklungen gelegt werden. Neuer Krieg, neue Opfer,



neue Unsicherheit und eine neue Wirtschaftsnot wuerden der Erfolg sein. Der Ausbruch eines solchen Wahnsinns ohne Ende aber muesste zum Zusammenbruch der heutigen Gesellschaft und Staatsordnung fuehren. Ein im kommunistischen Chaos versinkendes Europa wuerde eine Krise von unabsehbarem Ausmass und nicht abzuschaeztender Dauer heraufbeschoeren. Es ist der tieferste Wunsch der nationalen Regierung des Deutschen Reiches, eine solch unfruehdliche Entwicklung durch ihre aufrichtige und taetige Mitarbeit zu verhindern."

In seiner Rede vor den Arbeitern der Siemens-Werke in Berlin erklarte Hitler am 10. November 1933:

"Man sollte mir nicht zumuten, dass ich so wahnsinnig sei, einen Krieg zu wollen. Ich weiss nicht, wie viele von den fremden Staatsmaennern den Krieg ueberhaupt mitgemacht haben. Ich habe ihn mitgemacht. Ich kenne ihn..... Wir wollen nichts anderes als Frieden."

Am 20. Februar 1938 sagte Hitler im Reichstag:

"Deutschland wird jedenfalls, gestuetzt auf seine Freundschaften, nichts unversucht lassen, um jenes Gut zu retten, das die Voraussetzung fuer jene Arbeiten auch in der Zukunft abgibt, die uns verschweben: den Frieden."

Darueber hinaus ist mein Mandant tief beeindruckt gewesen von der Apotheose friedlichen internationalen Wettbewerbs waehrend der Olympischen Spiele 1936 in Berlin und hat aus ganzem Herzen die von Neville Chamberlain nach seiner Rueckkehr nach England nach der Muenchener Konferenz und nach der Unterschrift unter einen Konsultativpakt mit Hitler abgegebene Erklaerung gebilligt und daran geglaubt, dass dies "Frieden fuer unsere Zeit" bedeute.

Am 30. Januar 1939 sagte Hitler wiederum im Reichstag:

"In den schwierigen Monaten des letzten Jahres war die Freundschaft zwischen Deutschland und Polen eines der verheissungsvollen Momente im politischen Leben Europas."

Und schliesslich erklarte Hitler am 28. April 1939 in einer weiteren Reichstagsrede:

"Ich habe die unverstaendliche Haltung der polnischen Regierung tief bedauert, aber das allein ist nicht die entscheidende Tatsache; das Schlimmste ist, dass jetzt Polen, wie vor einem Jahr die Tschechoslowakei, unter dem Druck eines internationalen Luogenfeldzuges glaubt, dass es Truppen einberufen muss, obwohl Deutschland seinerseits nicht einen einzigen Mann einberufen und nicht daran gedacht hatte, irgendwie gegen Polen vorzugehen.... Die Absicht eines Angriffs von seiten Deutschlands, die lediglich eine von der internationalen Presse erfundene Luoge war ...."

Kann von einem Mann, dessen Arbeit ihm wenig Zeit fuer philosophische Spekulationen ueber die von seiner Regierung gehegten oder nicht gehegten bocsartigen Ziele liess, der aber wusste, dass Oesterreich und das Sudetenland zweifellos von Deutschen bewohnt waren und der sich an die Tatsache erinnerte, dass jahrhundertlang Tschechen und Slowaken in friedlicher Gemeinschaft mit Deutschen in dem Bereich des Deutschen Reichs gelebt hatten, erwartet werden, zu vermuten, dass Hitler, waehrend er alle diese friedlichen und vernuenftigen Dinge sagte, insgeheim bereits Plaene fuer einen Angriffskrieg mit Polen gemacht und einer sehr beschraenkten Anzahl von zu seinem inneren Kreis gehoerenden Maennern diese Plaene mitgeteilt hatte? Es ist ganz augenscheinlich, dass man das nicht erwarten kann. Es erschien jedenfalls dem Internationalen Militaergericht augenscheinlich und aus diesem Grunde hat es eine betraechtliche Anzahl von Angeklagten, die gewiss hoehere Positionen innehatten und mehr Einblick besaessen als ein Mandant, von der Anklage, ein Verbrechen gegen den Frieden begangen zu haben, freigesprochen,



Wenn die Anklage einwenden sollte, dass trotz dieser friedlichen Erklärungen mein Mandant im Hinblick auf die deutschen Rüstungsanstrengungen zu einer anderen Schlussfolgerung hätte kommen sollen, so erscheint es mir angebracht, das Gericht in diesem Zusammenhang daran zu erinnern, dass nach den Bestimmungen des Teils V des Versailler Friedensvertrages, des Art. 8 der Völkerbundssatzung, ebenso wie gemäss Punkt 4 der 14 Punkte Wilsons die deutsche Abrüstung nur der Beginn einer allgemeinen Abrüstung sein sollte und dass während der langjährigen Verhandlungen über Abrüstung und Sicherheit es Deutschlands ständiges Ziel war, die anderen Nationen an die Einhaltung ihrer Abrüstungsversprechen zu erinnern und die Gleichberechtigung auf der Grundlage seines eigenen reduzierten Rüstungsniveaus zu erreichen.

Reichskanzler Brüning führte in einem Interview mit einem Vertreter der International Broadcasting Company, das über alle Sender der Vereinigten Staaten am 15. Februar 1932 verbreitet wurde, aus:

"Die militärischen Kräfte Deutschlands bilden nicht einmal mehr einen ausreichenden Grenzschutz gegen den Angriff eines oder mehrerer seiner hochgerüsteten Nachbarn. Deutschlands Wehrlosigkeit ist besonders offenbar im Luftraum. Zu seiner Verteidigung besitzt Deutschland überhaupt keine Mittel. Nicht nur die Flugwaffe ist ihm verboten, sondern auch jegliche Flugabwehr von der Erde aus. Im Kriegsfall würden die Städte Deutschlands ohne jeden Schutz den Gas-, Brand- und Explosivbomben der gegnerischen Flugzeuge ausgesetzt sein. Sie werden mir zugeben, dass das eine unhaltbare Situation ist, die das deutsche Volk mit grösster Besorgnis hinsichtlich seiner Sicherheit erfüllen muss. Die Forderung auf Gleichberechtigung mit den anderen Völkern, die ich in meiner Rede auf der Abrüstungskonferenz in Genf kürzlich mit aller Deutlichkeit ausgesprochen habe, ist deshalb eine ganz

selbstverstaendliche Folgerung aus den tatsaechlich bestehenden Verhaeltnissen. .... Das deutsche Volk, besonders die deutsche Jugend, fuehlt diesen Zustand der Disqualifizierung sehr tief, und ein Teil der politischen Unruhe in Deutschland hat in ihr ihren Ursprung. .... Die Forderung der Gleichberechtigung und der gleichen Sicherheit wird vom ganzen deutschen Volke geteilt, Jede deutsche Regierung wird diese Forderung vertreten muessen."

Es kann in der Tat bewiesen werden, dass die Hitler-Regierung in Genf dieselbe Haltung einnahm wie Brüning und dass die deutsche Wiederaufrüstung erst begonnen wurde, als die deutschen langjaehrigen Bemühungen in endlosen Abrüstungsdebatten in Genf und sonstwo wegen der Intransigenz der Nachbarn Deutschlands fehlgeschlagen waren.

"Was meinen Mandanten angeht, so muss ich zusaetzlich die Tatsache unterstreichen, dass die ihm anvertrauten Werke Erzeugnisse herstellten, die entschieden friedlicher Natur waren und zwar photographische Erzeugnisse und Kunstfasern. Mein Mandant ist berechtigt, nicht ohne Stolz darauf hinzuweisen, dass die Agfa dank seiner staendigen Bemühungen, die Forschungsarbeit seiner faehigen Mitarbeiter in diese Richtung zu lenken, ein Farbfilmverfahren entwickelte, das mit Recht als eines der besten, wenn nicht das Beste der Welt angesehen wird. Der Ausbruch des Krieges hat diese friedlichen Anstrengungen meines Mandanten nicht gefoerdert, sondern gehemmt. Ich kann Ihnen, meine Herren Richter, daher versichern, dass mein Mandant den Kriegsausbruch nicht begrosste und dass er auch niemals gehoert hat, dass seine Kollegen kriegerische Tendenzen verfolgten. Gewiss hat ihm niemals einer seiner Kollegen mitgeteilt, er habe Kenntnis von irgendwelchen Angriffsplänen der deutschen Regierung.



Als der Krieg ausgebrochen war, ein Krieg, den die deutsche Regierung dem deutschen Volk, insbesondere durch den Hinweis auf die Tatsache, dass England und Frankreich Deutschland den Krieg erklärt hatten, als Verteidigungskrieg darstellte, hat zwar mein Mandant nicht die Niederlage seines Vaterlandes gewünscht. Er hat es nicht im Stich gelassen, aber auch hier mochte ich Ihnen, meine Herren Richter, vortragen, dass dies eine Haltung ist, die niemand, der guten Glaubens ist, das Recht hat ihm vorzuwerfen. Das Internationale Militaergericht hat diese Auffassung in seinen Entscheidungsgrunden zum Fall des Angeklagten Speer anerkannt, indem es erklarte:

"Seine Betaetigungen, als ihm der deutsche Kriegseinsatz unterstand, dienten dem Kriegseinsatz genau so wie jede Erzeugungsstaette der Kriegfuehrung half; der Gerichtshof ist jedoch nicht der Ansicht, dass eine solche Taetigkeit die Teilnahme an einem gemeinsamen Plan, Angriffskriege zu fuehren, darstellten im Sinne des Anklagepunkts 1 oder Angriffskriege zu fuehren im Sinne des Anklagepunkts 2."

Was die Beschuldigungen unter Ziffer II der Anklageschrift angeht, so kann ich ihre Eroerterung denjenigen meiner Kollegen ueberlassen, deren Mandanten an den Verhandlungen beteiligt waren, die zu den von der Anklagebehoerde als Raub und Pluenderung bezeichneten Vereinbarungen fuehrten. Das von der Anklage vorgetragene Beweismaterial rechtfertigt diese Behauptung nicht.

Wenn ich mich nunmehr der Ziffer 3 der Anklageschrift zuwende, so uebernimmt mein Mandant die Verantwortung fuer die Filmfabrik Wolfen, deren unmittelbarer Chef und Betriebsfuehrer er war. Soweit die Beschaeftigung von Fremdarbeitern,

Strafgefangenen und KZ-Haeftlingen als solche in Frage steht, darf ich dem Hohen Gericht vortragen, dass dieser Tatbestand allein in Anbetracht der deutschen Gesetzgebung und der Kriegsverhaeltnisse nicht als genuegende Grundlage zur Rechtfertigung eines Strafverfahrens gegen meinen Mandanten angesehen werden kann. Die in diesem Zusammenhang erheblichen Rechtsprobleme werden von meinen Kollegen ausfuehrlich behandelt werden. Die Verteidigung ist in der Lage zu beweisen, dass mein Mandant so handelte, dass kein anderer anstaendiger Mann in seiner Stellung zur gleichen Zeit und unter denselben Umstaenden haette anders handeln koennen. Wir koennen weiter beweisen, dass die Arbeitsbedingungen, die Verpflegungs- und Unterbringungsverhaeltnisse aller in der Filmfabrik beschaeftigten Arbeiter so waren, dass man nicht behaupten kann, sie seien schlecht gewesen. Dr. Gajewski hat alles in seiner Macht Stehende getan und dementsprechende Weisungen erlassen, dass besonders die Fremdarbeiter anstaendig behandelt und in dem unter den gegebenen Umstaenden moeglichen Ausmass betreut wurden. Was die Konzentrationslagerhaeftlinge (einige hundert Frauen aus Ravensbrueck) angeht, so zogen diese gewiss ihre Arbeit in der Filmfabrik Wolfen dem Lager Ravensbrueck vor. Sie wurden nicht mit schwerer Arbeit beschaeftigt. Ihre Arbeit war die gleiche, die vorher von freien deutschen Arbeiterinnen geleistet worden war. Soweit die anderen zur Sparte III gehoerigen und von der Arbeitsbehoerde erwahnten Werke, d.h. das Kamerawerk in Muenchen und Rottweil in Frage stehen, so wurden diese von faehigen Maennern geleitet, deren moralische Eigenschaften so waren, dass diese ihnen das Vertrauen meines Mandanten erworben



hatten. Er konnte sicher sein, dass diese Maenner als Betriebsfuehrer jener Werke die Personalangelegenheiten korrekt behandelten, was in der Tat auch geschah. Was die von der I.G. kontrollierten, aber rechtlich unabhaengige und einen eigenen Vorstand besitzende Firma Kalle & Co. angeht, so befindet sich in dem von der Anklage vorgetragenen Beweismaterial nichts, was meinen Mandanten belasten koennte. Wir sind jedoch auch hier in der Lage zu beweisen, dass der Kalle-Vorstand korrekt handelte.

Zu der Gesamtpersoenlichkeit meines Mandanten beabsichtige ich, dem Gericht Beweismaterial dafuer vorzulegen, dass mein Mandant durchdrungen war von Grundsuetzen der Toleranz und Menschlichkeit und dass es ihm gewiss nicht an Zivilcourage fehlte, fuer seine Meinungen einzutreten. Er war unter seinen Kollegen bekannt dafuer, dass es ihm entschieden nicht gefiel, wenn sich andere in seine Sphaere einmischten, dass er sich andererseits aber auch nicht in anderer Leute Angelegenheiten einmischte. Im Rahmen der fuer die riesige I.G. charakteristischen "dezentralisierten Zentralisierung" befand sich Dr. Gajewski an der Spitze der Sparte III und uebernimmt gerne die mit dieser Stellung verbundene Verantwortung. Was die uebrigen Betaetigungsgebiete der I.G. Farben angeht, so kannte er nur ihre allgemeinen Umrisse so wie sie im TGA und im Vorstand vorgetragen wurden. Er hat dort niemals etwas erfahren, was ihn zum Eingreifen auf anderen Gebieten als seinem eigenen haette veranlassen koennen oder sollen, umso weniger, als er zu seinen Kollegen das Vertrauen hatte und haben konnte, dass sie ihre Angelegenheiten korrekt

handhabten. Bezueglich der von Herrn Dr. Gajowski bekleideten Thronaemter hat die Anklage keine Beweise dafuer vorgetragen, dass in diesen mehr oder weniger formellen Betaetigungen etwas gefunden werden koennte, was ihm unter strafrechtlichen Gesichtspunkten zur Last gelegt werden koennte.

Zum Abschluss meiner Eroeffnungsansprache moechte ich noch eine letzte Bemerkung zu dem letzten Satz in der Eroeffnungsrede der Anklagebehoerde machen. Der Herr Hauptanklaeger sagte: "In diesen Maennern gibt es keine Loyalitaet, weder der Wissenschaft, noch Deutschland, noch irgendeinem entdeckbaren Ideal gegenueber." Dieser durch das von der Anklagebehoerde vorgebrachte Beweismaterial in keiner Weise belegte Vorwurf hat Dr. Gajowski zutiefst verletzt, und ich glaube zu der Feststellung berechtigt zu sein, dass alle Angeklagten seine Gefuehle teilen. Was seine Loyalitaet und seine persoenliche Integritaet angeht, so werden alle diejenigen, die Dr. Gajowski in Deutschland und im Ausland gekannt haben, der Anklagebehoerde sagen, dass sie unrecht hat, und soweit Dr. Gajowskis Gefuehle gegenueber Deutschland in Frage stehen, so liebt er sein Vaterland und dient ihm ebenso, wie ich annehme seine Kollegen in Amerika das ihrige liebten und ihm dienten.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Heinrich G A T T I N B A U

German



*Defense*  
*Case 6*

Opening statement

fuer den Angeklagten

Heinrich Gattinsau

Fall VI

ueberreicht von

Rudolf Aschenauer  
Verteidiger

*Gunn.*





Herr Praesident ! Meine Herren Richter !

Noch selten wurde in einem Prozess derartig viel Material seitens der Anklagebehoerde vorgelegt. Noch seltener aber wurde in der Oeffentlichkeit und in der Anklageschrift den Angeklagten so viel vorgeworfen wie es hier der Fall ist. Noch nie aber wurde so wenig bewiesen als es im Prozess gegen Krauch u.a. geschehen ist.

Gross kuerndigte die Anklagebehoerde das Buendnis der IG mit Hitler an, das durch Buestefisch und Gattineau 1932 geschlossen sein soll. Mit Spannung warteten wir auf die Beweise. Sie blieben aus. Was uebrig blieb, war eine informatorische Besprechung. Wenn in der Politik jede informatorische Besprechung mit Buendnis gleich gesetzt wird, dann waeren wohl mehr Buendnisse als Politiker vorhanden.

Bei gruendlicher Ueberpruefung haette die Anklagebehoerde selbst das Groteske ihrer Behauptung erkennen muessen. Es gehoert viel Phantasie dazu die Behauptung aufzustellen, dass zu Lebzeiten eines Bosch und eines Duisberg ein derartiges Abkommen geschlossen wird. Fuer uns wird es eine Kleinigkeit sein, die Beschuldigung der Anklage zu widerlegen. Ich moechte in diesem Zusammenhang nur ein paar Stellen ueber das Verhaeltnis Bosch und Duisberg's zu Hitler zitieren. Dr.jur.Kurt Freiherr vonnLorsner, vormalis Praesident der deutschen Friedensdelegation von Versailles, schreibt ueber die Haltung Carl Bosch's zu Hitler und der NSDAP:

" Die Einstellung Carl Bosch's zu Hitler und der nationalsozialistischen Partei laesst sich vielleicht am besten aus der niederschmetternden Kritik erkennen, die er mir im Anschluss an sein erstes Zusammentreffen mit Hitler mitteilte: " Der Hitler is' ja nix , garnix ! Das is' alles ausgemachter Schwindel. " Im Laufe der folgenden Jahre erklaerte Carl Bosch mir immer wieder: " Der Hitler wird uns alle ins Verderben bringen. Hoffentlich is' er wenigstens nich' so bloed, Krieg anzufangen. Bei einem Mann, der den Weltkrieg als Gefreiter mitgemacht hat, sollte man denken, dass

er wenigstens nicht solch ein neues Elend und Grauen ueber die Welt bringen wird, aber beim Hitler kann man sich auf alles gefasst machen."

Bei unserem letzten Zusammensein im Herbst 1939 war Carl Bosch trotz allen Siegesmeldungen ueber den Krieg ganz gebrochen. Mehrfach wiederholte er in diesen Stunden: "Der Krieg kann niemals von Deutschland gewonnen werden und wenn der Hitler ihn gewinnen wuerde, waere es ein furchtbares Unglueck."

Weitere Aussprueche, die Carl Bosch mir gegenueber haeufig tat, warfen ein charakteristisches Licht auf seine Auffassungen: "Die Jugend vor den Nazis zu retten, ist noch wichtiger, als die Rettung der Wissenschaft."

Dass ihm die Sorge fuer eine von der Hitlerpartei unabhaengige, freie Wissenschaft immer am Herzen lag, duerfte allgemein bekannt sein. Dies Ziel war das Ausschlaggebende fuer ihn bei der ihm sehr schwer fallenden Uebernahme seiner Ehrenaemter, z.B. des Praesidiums der Kaiser-Wilhelm-Gesellschaft. Mehrfach hat er mir im Hinblick darauf gesagt: "Der ganze Nazi-Krempel haengt mir zum Hals heraus, aber ich muss im Geschirr bleiben, sonst ist die Wissenschaft verloren."

"Die Judenverfolgungen sind eine Schmach und Schande, die sich bitter raechen wird."

"Frieden, Frieden und nochmals Frieden ist das A und O fuer uns und alle Welt."

Ueber die politische Haltung des Geheimrates Professor Dr.C.Duisberg liegt uns eine zutreffende Schilderung vor, in der es heisst:

"Ich kann bezuugen, dass Herr Geheimrat Duisberg immerein Gegner des Nationalsozialismus gewesen und es auch nach der Machtergreifung bis zu seinem Tode geblieben ist. Es hat nicht an Versuchen



- 2a -

gefehlt, ihn fuer den Nationalsozialismus zu gewinnen, aber er hat  
sich in keiner Weise dazu bewegen lassen, sich fuer die Partei  
einzusetzen.

So war der spätere Reichswirtschaftsminister Funk 1931 in Leverkusen, aber Herr Geheimrat Duisberg hat ihn nicht empfangen. Später versuchte u.a. Dr. Schmidt-Pauli, Berlin, Herrn Geheimrat Duisberg fuer die Partei zu interessieren. In seiner schriftlichen Antwort an ihn schrieb Herr Geheimrat Duisberg wortlich: " Sie werden es noch an ihrem eigenen Leibe erfahren, was es bedeutet, wenn diese Partei einmal an die Macht kommen sollte." (Dieser Schriftwechsel ist waehrend des Krieges verloren gegangen.)

Auch hat er es abgelehnt, an der Versammlung im Industrieklub in Duesseldorf am 27.1.1932, in der Hitler sprechen sollte, teilzunehmen. In seinem Brief, den er , soweit ich weiss, an Herrn Professor Dr. Hahn schrieb, hat er es als ein Unglueck bezeichnet, wenn deutsche Professoren, wie z.B. Fraulein Lise Meitner, nur darum, weil sie Juden sind, aus ihren Stellungen entfernt werden sollten.

Sehr stark hat sich Herr Geheimrat Duisberg fuer eine Verstaendigung mit anderen Laendern, vor allem mit England, eingesetzt. So war er fuehrend beteiligt an den Besprechungen, die 1926 zwischen englischen und deutschen Wirtschaftsfuehrern in Berlin stattfanden. Eine weitere Besprechung dieser Art, an der u.a. der damalige englische Verkehrsminister Ashley und die bekanntesten Vertreter des englischen und deutschen Wirtschaftslebens teilnahmen, fand vom 11. bis 13. Juni 1927 in Leverkusen statt."

Bosch und Duisberg waren die leitenden Persoenlichkeiten der IG-Farben und starke Gegner der NSDAP. Buestefisch und Gattineau waren 1932 einflusslose Angestellte der IG. Glaube denn bei dieser Sachlage die Anklage ernstlich, dass diese Beiden ein Buendnis mit der Partei abzuschliessen hatten ? Dabei hat noch die Anklagebehoerde das eine uebersehen, dass Gattineau bis 1933 Mitglied der Konservativen Volkspartei gewesen ist, die bekanntlich Dr. Bruening als Reichskanzler unterstuetzte.



Wirklich sonderbar mutet die Anklage-Konstruktion an, wenn einem ein Brief auf den Schreibtisch flattert, in dem es heisst:

"Herr Geheimrat Duisberg war ein besonders tatkräftiger  
Foorderer des Gedankens studentischer Selbsthilfe und wurde  
hierbei von Herrn

Dr. Gattineau aufs lebhafteste unterstützt. Ich habe in den Jahren 1928 - 1932 auf zahlreichen Tagungen und Besprechungen, die sich mit studentischen Selbsthilfe-Fragen beschäftigten, mit Herrn Geheimrat Duisberg und Herrn Dr. Gattineau zusammengearbeitet. Aus dieser Arbeit ist eine herzliche, persönliche Freundschaft mit Herrn Dr. Gattineau entstanden, der in politischer Hinsicht genau so dachte wie ich.

Der hinter mir stehende Teil der Studenschaft war antinational-sozialistisch eingestellt. Nachdem durch die örtlichen Studentenschaftswahlen Nazi-Mehrheiten in der Studentenschaft entstanden, bin ich um die Jahreswende 1931/1932 in offenen Kampf zum Nationalsozialismus aus der studentenschaftlichen Arbeit ausgeschieden.

Ich habe die Führung der hinter mir stehenden Gruppen behalten und diese zu einer Organisation zusammengeschlossen, deren Zweck es war, gegen den Nationalsozialistischen Deutschen Studentenbund zu wirken. Wir gingen dabei von der richtigen Erkenntnis aus, dass sich die Wahlmassen stark nach den Ergebnissen von Studentenschaftswahlen richten, und dass in der grossen Politik nach 1 oder 2 Jahren die gleichen Wahlergebnisse auftauchen, wie sie sich vorher bei den Studenten gezeigt haben. Meine und meiner Gesinnungsfreunde Tätigkeit richtete sich nun dahin, in den örtlichen Wahlkämpfen durch entsprechende Propaganda die Wahlergebnisse zu beeinflussen und die Nazimehrheiten zurückzuschrauben. Das ist bis zum Frühjahr 1933 an verschiedenen Universitäten und Hochschulen mit vollen Erfolg durchgeführt worden. Die überragenden Nazimehrheiten schrumpften nach unserem Auftreten jeweils zu einer praktisch bedeutungslosen Minderheit zusammen.

Für die Durchführung dieser Wahlkämpfe und für die für die Organisation notwendigen Hilfsmittel wurde Geld gebracht. Ich habe mich daher mit dem Geheimrat Duisberg und mit Herrn Dr. Gatti-



neue in Verbindung gesetzt und versucht, Geldmittel fuer unsere  
Tatigkeit zu bekommen. Diese sind mir bereitwillig gegeben worden.  
Dabei wurde deutlich, dass insbesondere Herr Dr. Gattineau sich in  
dieser Hinsicht bemuehte. Ich habe ueber Herrn Dr. Gattineau bis

Mitte 1933 die erforderlichen Gelder bekommen. Durch die Unmöglichkeit, unseren Kampf fortzusetzen, habe ich dann meine diesbezüglichen Bitten bei Herrn Dr. Gattineau im Jahre 1933 eingestellt. Gelegentlich der letzten Reichspräsidenten-Wahl hat sich in Einverständnis und im Auftrag von Herrn Geheimrat Duisberg Herr Dr. Gattineau an mich gewandt mit der Bitte, dass die mir nahestehenden Kreise sich für die Wahl, Hindenburgs, der als Gegenkandidat Hitlers aufgestellt war, einsetzen. - Ich habe dem bereitwillig zugestimmt. Gelegentlich eines Empfanges bei Hindenburg, bei dem vornehmlich studentische Kreise anwesend waren, und an dem Herr Dr. Gattineau im Auftrage von Herrn Geheimrat Duisberg teilnahm, wurde Hindenburg die Bitte der Studentenschaft unterbreitet, neuerlich für das Amt des Reichspräsidenten zu kandidieren."

Ich glaube, die Bündnisbehauptung der Anklage ist - ich bitte das harte Wort zu entschuldigen - derart gegen den gesunden Menschenverstand, dass es sich fast eruebrigt, Gegenbeweise anzubieten. Es ist humorvoll zu sehen, wie der Anklage, in dem Bestreben Beweise zu sammeln, eine hübsche Namensverwechslung unterlaufen ist!

In der Gerichtssitzung vom 2.9.1947 wurde behauptet, dass Carl Duisberg der Reichsvereinigung der Deutschen Industrie unter Betonung der ausgesprochenen bejahenden Einstellung " seine Bereitschaft zur Teilnahme an der Adolf-Hitler- Spende" mitgeteilt hat.

Dr. Curt Duisberg gibt uns dazu folgende Richtigstellung:!

" Es handelt sich hierbei um eine Namensverwechslung. Nicht der Vorsitzende des Aufsichtsrates, Geheimrat Dr. Carl Duisberg, sondern ich selbst in meiner Eigenschaft als Leiter des Z.A. Bueros habe der Besprechung bei der Berufsgenossenschaft der Chemischen Industrie beigewohnt und die Aktennotiz vom 16.Juni 1933 verfasst."

Sicherlich hätte das jeder der Angeklagten der Anklagebehörde sa-



gen können, wenn sie denn doch gefragt worden wären.

Die Unsinnigkeit der Anklagebehauptung wird noch offensichtlicher,  
wenn wir folgende Umstände bedenken:

Die herrschende Meinung in der NS-Partei lehnte die IG aus folgenden  
Gründen ab:

- 1.) Als Konzern stand sie in Gegensatz zu den Principien des Partei-programmes.
- 2.) In Verwaltungsrat befanden sich 40% juedische Mitglieder (C.v.Weinberg, A.V.Weinberg, v.Sinson, Oppenheimer).
- 3.) In Aufsichtsrat der IG befanden sich bis 1938 25% juedische Mitglieder: Morton, Louis Hagen, Sigmund Warburg, Carl v.Weinberg, Arthur v.Weinberg, v.Sinson, Otto v.<sup>H</sup>andelssohn-Bartholdy Max Warburg.
- 4.) Bei den Tochtergesellschaften Hiebeck Montan: Arpad Flesch, Milton Soligmann, Lederer; bei Rheinstahl: Flechtheim.
- 5.) Das agrarpolitische Amt der Partei verlangte eine weitere Senkung der Duengerpreise und nahm deshalb Stellung gegen die IG. 1932 erklarte Darré in Muenchen, dass die Partei sich aus politischen Gruenden gegen die Duengerpreise wenden muesse, das Parteiprogramm sei eben gegen die grossen Gesellschaften.
- 6.) Baerckel lehnte die IG grundsätzlich ab.
- 7.) Auch Ley war der IG nicht freundlich gesinnt, obwohl er ihre Sozialleistungen anerkennen musste. Er war wegen seiner Angriffe auf Warburg und Louis Hagen seinerzeit in Leverkusen auf Veranlassung von Geheimrat Duisberg entlassen worden.
- 8.) In der Frage der deutschen Benzinherzeugung nahm die NS-Presse, vor allem der V.B. einen gegen die Interessen der IG gerichteten Standpunkt ein.

Viel hat die Anklage in ihren Vortrag von Gattineau behauptet. Er soll der Wirtschaftsberater von Roehm, ein fuchrender politischer Vertreter der IG, der 6 Jahre lang die Wipo leitete, gewesen sein.

Beweise ueber die tatsaechliche Taetigkeit von Dr.Gattineau hat sie aber nicht vorgelegt.

Was war Dr. Gattineau?



Bis Ende 1938 gehörte er keinem der Ausschüsse der IG als Mitglied an. Erst Mitte 1938 wurde er Titulardirektor der IG, Anfang 1939 kaufmännischer geschäftsführender Direktor der D.G. Pressburg. Dem Vorstand der IG hat er nie angehört.  
Politisch gesehen ist er bis 1939, wie bereits ausgeführt, Mitglied der

Konservation Volkspartei. Roehm verlieh ihm Mitte 1933 einen Ehrenfuhrerdienstgrad, der ihm beinahe das Leben kostete. Am 30. Juni 1934 soll er auf Veranlassung von Heydrich erschossen werden.

Wenn die Anklagebehoerde das IMT-Urteil und den dortigen Beweisvortrag der Anklage und Verteidigung gewuerdigt haette haette, in dem aufgezeigt wurde, dass Roehm und die oberste SA-Fuehrung 1932 - 1934 zumindest eine Aussen-seiterstellung in der Politik der NSDAP einnahm, dann waere sie bei Gattineau zu den vorliegenden Schlussfolgerungen nicht gekommen. Dies und die darauf sich ergebende nachfolgende Machtlosigkeit der SA sind die Gruende fuer den Freispruch der SA vor dem Internationalen Militaergerichtshof gewesen.

Und hier bei Br. Gattineau vom politischen Einfluss zu sprechen, ist mehr als raetselhaft.

Zweifellos hat die Anklagebehoerde das Gefuehl gehabt, ein Bindeglied zwischen 1932 und 1939 konstruieren zu muessen. Deshalb muesste man der Wipo, dem Werberat usw. eine andere Bedeutung zuschieben, als er tatsaechlich gehabt hat. Die Beweise allerdings blieb man wiederum schuldig. Man verknuepfte die Gruendung der Wipo mit der Machtergreifung der Partei. Dass dies offensichtlich falsch ist, zeigte sich bereits im Beweisverfahren der Anklage. Man bauschte die Taetigkeit der Wipo auf. Aus einer Vermittlungs- und qualifizierten Brieftraegerstelle, wie das Verhoer und Kreuzverhoer Krueger gezeigt hat, machte man kuenstlich ein hochbedeutsames politisches



Instrument. Aehnlich war das Bestreben der Anklage auch beim Wirtschaftsfuehrerkreis bzw. Werberat der deutschen Wirtschaft.

Beim Werberat wird es folgendes Bild ergeben:

Der Werberat hatte es sich zur Aufgabe gestellt, die private Initiative des Wirtschaftlers zu foerdern und zu unterstuetzen. Die Ausschaltung des unlauteren Wettbewerbes und unsauberer Werbemethoden fuehrte zu enger Zusammenarbeit mit den Verbaenden anderer Laender, vor allem mit Verbaenden der Werbungstreibenden in England, USA, Schweden, Frankreich und endete in der Gruendung des internationalen Werberates bei der internationalen Handelskammer in Paris. Die Auslandawirtschaftswerbung fuer deutsche Erzeugnisse erfolgte in enger Zusammenarbeit mit den auslaendischen Messegesellschaften, Handelskammern und fremden Regierungen.

Der Werberat hatte keine politischen Aufgaben zu erfüllen; Politische und künstlerische Ausstellungen unterlagen nicht dem Gesetz der Wirtschaftswerbung. Das Auswärtige Amt und Propagandaministerium hatten ausdrücklich jede politische Propaganda durch den Werberat untersagt.

Schuldig blieb die Anklage ebenfalls, in der Oesterreichangelegenheit und zur Frage DAC Pressburg beweiskräftiges Material anzubieten. In der "Oesterreich-Frage" wird sich z.B. herausstellen, dass es sich um die Fortführung der lange vor dem Anschluss begonnenen Verhandlungen mit Skoda-Wetzler und im übrigen um interne Konzernumgliederung von DAC-Firmen ohne irgendwelchen Zwang seitens der IG-Farben handelte.

Im übrigen hat die Anklagebehörde in ihrem Beweisvortrag selbst nicht behauptet, dass Gattineau an der Führung der Verhandlungen der IG in Oesterreich beteiligt war.

Ein bezeichnendes Schlaglicht fuer die Beweisführung der Anklage bietet die Pressburg-Angelegenheit. Mit Pathos hat General Telford Taylor behauptet (Protokoll v. 27. August 1947, Seite 181 deutsch, Seite 190 englisch):

"Nach 1938 nahm der (Gattineau) als Direktor einer der größten Sprengstoff-Werke der IG im besetzten Gebiet an der Beschaffung und dem Missbrauch von Zwangsarbeitern und an der Plünderungstätigkeit teil."

Auch hier mussten wir vergeblich auf die Beweise warten. Kein Dokument hat die Anklage angeboten. Dies duerfte



ihr auch schwer fallen, Denn in Pressburg gab es im Arbeitsprozess weder Fremdarbeiter noch Zwangsarbeiter noch K.Z.-Haeftlinge noch Kriegsgefangene. Ebensowenig ist es moeglich, dass die Anklagebehoerde fuer ihre Behauptung, in Pressburg sei Pluenderung geschehen, einen Beweis erbringen kann.

Bei dieser Lage ist es voellig erkluerlich, dass Richter Morris eingehend auf die Unerhoeblichkeit des Materials bis zum Beginn der Angriffshandlungen im Jahre 1939 hinwies. Nach meiner Auffassung gilt dies vor allem fuer den Angeklagten Gattineau.

Wenn wir uns vorstellen, dass das das Ergebnis der Arbeit der Anklage waehrend 2 1/2 Jahren ist, so ist das mehr als ein duerftiges Ergebnis. Ich will

die Anklagebehörde nicht kritisieren. Denn schwer ist es, gegen einen Angeklagten Beweismaterial vorzulegen, der im Sinne der Anklagepunkte nichts verbrochen hat. Mag der Anklagebehörde dieselbe Zeit der Vorbereitung nochmals zur Verfügung stehen, wird sie genau den gleichen Misserfolg haben. Dies wird der weitere Verlauf der Verhandlung mit aller Deutlichkeit aufzeigen.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Paul HAEFLIGER

German



*Defense  
Case 6*

OPENING STATEMENT

von

Dr. von Metzler

vor dem

AMERIKANISCHEN MILITÄRGERICHTSHOF VI, NUERNBERG,

fuer

Paul Haefliger

Fall VI "Krauch und Andere"

*Germ.*





Hohes Gericht,

Wenn ich fuer meinen Klienten Paul H a e f l i g e r Ihnen gegenueber, meine Herren Richter, das Wort ergreife, so habe ich nicht die Absicht, mich mit den gegen die I.G. und ihre Politik als solche gerichteten Anschuldigungen zu befassen. Diese allgemeinen Themen werden von einigen meiner Herren Kollegen behandelt, um Wiederholungen zu vermeiden.

Was daher im Falle Paul Haeffliger zu sagen bleibt, ist die Untersuchung der Frage seiner persoentlichen Verantwortlichkeit fuer die Politik der I.G. vor und nach Ausbruch des Krieges, die von der Anklage als von Anfang bis Ende verbrecherisch bezeichnet wird, waehrend die Verteidigung den Standpunkt vertritt, dass dies keineswegs der Fall war, und dass die Anklage bei der Praesentierung ihres Beweismaterials weit ueber das Ziel hinausgeschossen ist.

Wenn ich das unglaublich grosse Ausmass des Beweismaterials ueberblicke, das die Anklage in diesem Fall eingefuehrt hat, so faellt der Verteidigung unter anderem ein Punkt besonders auf: Es ist das unglaublich kleine Ausmass des Beweismaterials -soweit ueberhaupt davon gesprochen werden kann-, das die Anklage zur Frage der persoentlichen Verantwortlichkeit jedes Angeklagten fuer das, was geschehen ist, vorgelegt hat. Offensichtlich behauptet die Anklage, dass die I.G. eine verbrecherische Organisation war, die lediglich zu dem Zweck aufgezogen wurde, um alles, was sich in ihr "toetliches Netzwerk" verstrickte, zu unterjochen oder zu vernichten. Die Vorstandsmitglieder dieser "gefaehrlichen" Organisation sind nach Ansicht der Anklage offenbar verantwortlich fuer alle Geschehnisse in diesem gewaltigen und komplizierten Konzern, der in der Anklageschrift als "Staat im Staate" bezeichnet wird. Die Anklage legt, soweit ich es ueberblicken kann, kein besonderes Gewicht darauf, ob und in welchem Umfange die verschiedenen Angeklag-

ten persönlich mit den zahlreichen Vorgängen innerhalb der I.G. in Verbindung standen, die in der Anklageschrift behandelt werden. Um die Notwendigkeit einer sorgfältigen Untersuchung in der komplizierten Frage zu vermeiden, hat die Anklage zunächst den Anklagepunkt der Verschwörung für praktisch alle Punkte der Anklage eingeführt. In zweiter Linie bezieht sich die Anklage zum Beweise der von ihr behaupteten Gesamtverantwortung aller Vorstandsmitglieder für die Vorgänge in ihrem Unternehmen auf die deutschen handelsrechtlichen Bestimmungen und die Satzungen der I.G., die uebrigens von der Anklage falsch ausgelegt worden sind.

Ich will die Anklagevertretung nicht verletzen, aber ich muss zu meinem Bedauern feststellen, dass diese Behandlung des Problems der persönlichen Verantwortung der Angeklagten unter anderem ein schlagender Beweis mehr für die beklagenswerte Tatsache ist, dass die Anklage offensichtlich die Gründe des IMT-Urteils nicht sorgfältig genug beruecksichtigt hat.

Was die Verschwörung betrifft, so hat die Anklage -soweit ich sehe- kein spezielles Beweismaterial dafür eingeführt, dass alle Angeklagten sich miteinander verabredeten, um die in der Anklage behaupteten angeblich verbrecherischen Handlungen vorzunehmen oder zu verursachen. Ich darf in dieser Beziehung auf die Gründe des IMT-Urteils verweisen, in denen hinsichtlich der Voraussetzungen einer Verschwörung zur Planung eines Angriffskrieges folgendes auf Seite 16882 des Protokolls ausgeführt wird: Ich zitiere:

"Der Gerichtshof muss untersuchen, ob ein konkreter Plan zur Kriegführung bestand, und bestimmen, wer an diesem konkreten Plane teilgenommen hat."

Ende des Zitats.

Ferner auf Seite 16883 des Protokolls: Ich zitiere:



"Aus der Beweisführung geht jedoch mit Bestimmtheit eher das Bestehen vieler einzelner Pläne hervor, als eine einzige alle solche Pläne umfassende Verschwörung."

Ende des Zitats.

Nach meiner Auffassung hat die Anklage keinerlei Beteiligung der Angeklagten an irgend einem konkreten Plan zur Führung von Kriegen im Sinne des I.T.-Urteils unter Beweis gestellt, ganz zu schweigen von einer Verschwörung der Angeklagten mit diesem Ziel. Abgesehen hiervon kann nach dem I.T.-Urteil die Verschwörung nicht als ein besonderes Verbrechen auf dem Gebiet der Verbrechen gegen die Menschlichkeit und der Kriegsverbrechen unter Anklage gestellt werden. In dieser Beziehung wird auf die Ausführungen der Verteidigung während der Morgen-Sitzung des 29. Oktober (Protokoll Seite 2963) Bezug genommen. Deshalb ist die Verteidigung der Auffassung, dass der Gesichtspunkt der Verschwörung als solcher nicht als eine rechtlich einwandfreie Behandlung des Problems der persönlichen Verantwortlichkeit der Angeklagten angesehen werden kann.

Was den zweiten Grund betrifft, auf den die Anklage die persönliche Verantwortlichkeit der Angeklagten stützt, nämlich ihre angebliche Gesamtverantwortung fuer den Geschäftsbetrieb der I.G. nach ihrer Satzung und den deutschen handelsrechtlichen Bestimmungen, so fuerchte ich, dass die Anklage zwei Arten der Verantwortung durcheinanderbringt, die zivilrechtliche und die strafrechtliche. Die Verteidigung ist der Ansicht, dass in dieser Beziehung die folgenden Bemerkungen in den Gruenden des I.T.-Urteils besonders bedeutungsvoll sind. Das I.T. fuehrt bei der Behandlung der verbrecherischen Organisationen (Protokoll Seite 16929) und von damit zusammenhangenden Fragen des richterlichen Ermessens folgendes aus: Ich zitiere:

"Dieses Ermessen ist richterlicher Natur und laesst keinen Raum fuer eine willkuerliche Entscheidung;

es muss in Einklang mit anerkannten Rechtsgrundsätzen ausgeübt werden. Zu den wichtigsten dieser Prinzipien gehört, dass die strafrechtliche Schuld eine persönliche ist und dass Massenbestrafungen zu vermeiden sind."

Ende des Zitats.

Nun kann nach meiner Auffassung kein Zweifel darüber bestehen, dass die I.G. nicht als eine verbrecherische Organisation im Sinne des Statuts des IMT angesehen werden kann. Wenn daher das IMT bei der Behandlung der Verantwortung von Mitgliedern verbrecherischer Organisationen verlangt, dass die Schuld eine persönliche ist, so muss das um so mehr -oder um einen juristischen Ausdruck zu gebrauchen: a fortiori- fuer Mitglieder des Vorstandes eines privaten Industrieunternehmens gelten, die nicht Mitglieder einer verbrecherischen Organisation sind.

Wenn die Anklage die Gründe des IMT-Urteils sorgfältiger beruecksichtigt haette, so haette sie -abgesehen von dem oben zitierten Beispiel- immer wieder feststellen koennen, wie das IMT bei der Feststellung der strafrechtlichen Verantwortung verschiedener Angeklagten sich von diesem wichtigen Prinzip, dass "die strafrechtliche Schuld eine persönliche ist"- leiten liess.

Ich darf ergebenst die Aufmerksamkeit des Hohen Gerichts auf die Tatsache lenken, dass beispielsweise die Reichsregierung, die im uebertragenen Sinne ein "Vorstand" des Unternehmens "Deutsches Reich" mit praktisch unbegrenzten Vollmachten sowohl in politischer wie in wirtschaftlicher Hinsicht sowie mit einer Kenntnis von Tatsachen war, die Anderen nicht zugaenglich waren, trotz dieser Umstaende nicht zu einer verbrecherischen Organisation erklaert worden ist, und dass daher die Mitglieder der Reichsregierung nicht unterschiedslos fuer schuldig nach den Anklagepunkten befunden wurden, die in der IMT-Anklage behandelt worden sind. Das



IET hat sehr sorgfaeltig die Schuld jedes Angeklagten geprueft und verschiedene Angeklagte von verschiedenen Anklagepunkten freigesprochen, obwohl diese Angeklagten zu der kleinen Gruppe von Laennern gehoerten, welche die Inkarnation des politischen Willens des deutschen Volkes darstellten.

Aus alledem ergibt sich, dass in einem Strafprozess dieser Art im Gegensatz zu einem Zivilprozess die Verantwortlichkeit eines Vorstandsmitgliedes ausschliesslich aus den tatsächlichen Umstaenden seines personlichen Falles, d.h. aus seiner tatsächlichen Verbindung mit den angeblichen Verbrechen abgeleitet werden muss. Mit anderen Worten: Seine tatsächliche Stellung allein ist bei der Pruefung der strafrechtlichen Verantwortlichkeit eines Vorstandsmitgliedes entscheidend und nicht die Bestimmungen der Satzung der Gesellschaft bzw. des Handelsrechts, und ich beabsichtige demgemass mit Erlaubnis des Hohen Gerichts den Fall von Paul Haefliger auf der Grundlage dieser tatsächlichen Verhaeltnisse vorzutragen und die Beweismittel hinsichtlich seiner personlichen Verantwortlichkeit einzufuehren. Ich moechte jedoch mit allem Nachdruck betonen, dass mein Mandant keinesfalls sich der Verantwortung fuer Vorfaelle entziehen will, die in den Bereich des von ihm betreuten Gebietes fallen. Darueber hinaus moechte ich jedes Missverstaendnis darueber vermeiden, dass mein Mandant bei der Abgrenzung seines beschraenkten Verantwortungsbereichs von der vollen Ueberzeugung ausgeht, dass keiner seiner Kollegen sich von anderen als normalen und anstaendigen Erwaegungen bei der Fuehrung der Geschaeft der I.G. hat leiten lassen, und dass daher keiner seiner Kollegen wegen seines Verhaltens angeschuldigt werden kann.

In erster Linie moechte die Verteidigung vortragen, dass "persoenliche Schuld" im Sinne des IET-Urteils Vorsatz

und nicht Fahrlaessigkeit ist, da letztere weder im Statut noch im Kontrollratsgesetz Nr.10 fuer strafbar erklart wurde. Daher liegt es neben der Sache, hier die Frage zu pruefen, ob mein Klient als Vorstandsmitglied die Pflicht hatte, bestimmte Vorfaelle bei der I.G. zu untersuchen, von denen er keine persoenliche Kenntnis hatte, und diese zu verhindern oder ihnen anderweitig entgegenzutreten, und ob er durch Unterlassen seine Pflicht verletzt hat. Das Einzige ueberhaupt, worauf es ankommt, ist daher seine tatsaechliche Kenntnis von der Existenz derartiger angeblicher krimineller Vorfaelle und darueber hinaus seine zustimmende Teilnahme daran. Ich darf ergebenst die Aufmerksamkeit des Hohen Gerichts auf folgenden Absatz aus der Begrueendung des Urteils des Tribunals Nr.II im Fall Nr.IV "Pohl und Andere" (Protokoll Seite 8111) lenken, aus dem sich ergibt, dass Kenntnis allein nicht ausreicht, um einen Angeklagten auf Grund von Anklagen der vorliegenden Art zu verurteilen, und dass darueber hinaus irgend eine Form einer positiven Aktivitaet auf seiner Seite festgestellt werden muss. Ich zitiere:

"Der behauptete zustimmende Anteil ergibt sich aus dem vermutlichen Wissen und aus nichts weiter. Der Ausdruck "in Verbindung stehen mit" einem Verbrechen bedeutet jedoch mehr als ein blosses Wissen. Es bedeutet mehr, als mit den Haupttaetern oder Beihilfern im gleichen Gebaeude arbeiten oder selbst in der gleichen Organisation sein. Das Internationale Militärgericht erkannte diese Tatsache an, als es die verbrecherische Mitgliedschaft in gewissen Organisationen in bestimmter Weise beschränkte. Der Ausdruck "zustimmender Anteil" enthaelt das Element eines positiven Verhaltens. Gemäss seiner Verwendung im Text der Verfuegung bedeutet er zweifellos mehr als "Nicht-dagegensein."

Ende des Zitats.

Die erste Aufgabe meiner Verteidigung wird es daher sein, die tatsaechliche Position von Paul Haefliger innerhalb des gigantischen Gefueges der I.G. nachzuweisen, und hier will ich die tatsaechlichen Verhaeltnisse sprechen lassen.



In dem soeben zitierten Urteil in Sachen Pohl hat das Militärgericht Nr. II die folgenden interessanten Ausführungen ueber die tatsächliche Position eines Angeklagten innerhalb einer Organisation gemacht (Protokoll Seite 8079): Ich zitiere:

"Bei Beginn der Beweisaufnahme wurde sich der Gerichtshof bewusst, dass es notwendig sei, sich dagegen zu schützen, Verbrecherischeit oder auch nur schuldhaftes Verantwortlichkeit anzunehmen nur auf Grund der offiziellen Titel, welche die verschiedenen Angeklagten inne hatten. .... Der Gerichtshof hat ganz besondere Sorgfalt darauf verwendet, die tatsächliche Macht und Machtvollkommenheit der einzelnen Angeklagten klarzustellen und zu analysieren, und die Art und den Umfang ihrer Anwendung, wobei er sich nicht gestattete, durch die offiziellen Kennzeichnungen auf Briefbogen oder Buropapieren sich ungehörig beeinflussen zu lassen."

Ende des Zitats.

Auf Grund dieser Ausführungen, die nochmals die Richtigkeit der These beweisen, dass in einem Strafprozess die tatsächlichen Verhältnisse massgebend sind, unter denen der Angeklagte lebte und handelte, und nicht seine Position, wie sie mit den Augen eines Ziviljuristen gesehen wird, trage ich ergebenst dem Hohen Gericht vor, dass die I.G. ein so gewaltiger und komplizierter Konzern war, dass dieser Konzern so zahlreiche Gebiete der modernen Chemie umfasste einschliesslich solcher ausserhalb der Chemie wie Bergbau, Filmindustrie und andere Fabrikationen, dass es absolut undenkbar war, angesichts dieses gewaltigen Geschäftsumfanges eine auch nur einigermaßen genaue und sachverständige Kenntnis von Vorfällen bei einem Vorstandsmitglied zu unterstellen, soweit diese ausserhalb seines speziellen Arbeitsgebietes in dieser riesigen Organisation lagen.

Wir vertreten den Standpunkt, dass in der Tat das Prinzip der dezentralisierten Zentralisation in erheblichem Umfange innerhalb der I.G. verwirklicht war, mit anderen Worten: dass in Wahrheit die verschiedenen Sparten und Verkaufs-

Gemeinschaften praktisch unabhängige Firmen waren, und dass daher die Vorstandsmitglieder, welche an der Spitze dieser Sparten und Verkaufsgemeinschaften standen, in Wirklichkeit das laufende Geschäft unabhängig von der Kenntnis und der Zustimmung der anderen Vorstandsmitglieder führten, die ihrerseits wieder ihre speziellen Aufgabengebiete hatten. Wir tragen vor, dass innerhalb dieser grossen Zusammenballung bedeutender chemischer Firmen, die bezeichnenderweise "I.G.", zu deutsch "Interessen-Gemeinschaft" hiess, Paul Haeffliger ein beschränktes rein kaufmännisches Aufgabengebiet hatte in seiner Eigenschaft als Mitglied der Verkaufsgemeinschaft Chemikalien, von der er weder der eingesetzte verantwortliche Leiter noch der stellvertretende Leiter war. Dieses Aufgabengebiet bestand vor Ausbruch des Krieges hauptsächlich in der Führung von Verhandlungen auf dem Gebiet der internationalen Konventionen aus dem Schwerchemikalien-Sektor und deren Betreuung, eine Aufgabe, die zahlreiche und ausgedehnte Auslandsreisen mit sich brachte. Als diese Tätigkeit mit Ausbruch des Krieges zu einem abrupten Ende kam, löste sich Paul Haeffliger allmählich von dem Schwerchemikalien-Gebiet, nahm einen zweiten Wohnsitz in Berlin und beschränkte sich praktisch von da an auf die Betreuung der Abteilung "M", die irrigerweise von der Anklage als "Metall-Abteilung" bezeichnet worden ist, und auf Sonderaufgaben auf dem Metallsektor.

Wenn ich mich jetzt dem Anklagepunkt I zuwende, so darf ich mich zunächst auf den Antrag der Verteidigung beziehen, den diese während der Morgen-Sitzung vom 17. Dezember dem Gericht eingereicht hat und in dem die Verteidigung den Standpunkt vertrat, dass der von der Anklage angetretene Beweis nicht schlüssig ist, da nach den Gründen des I.T.-Urteils die Verantwortung für Verbrechen gegen den Frieden



auf eine kleine Gruppe fuehrender Persoenlichkeiten zu beschaenken ist, die eine spezielle Kenntnis bestimmter geheimer Plaene Hitlers hatte.

Darueber hinaus wird die Verteidigung den Beweis dafuer antreten, dass Paul Haeffliger keinerlei Kenntnis davon hatte, dass die deutsche Regierung einen Angriffskrieg plante, und dass angesichts seiner tatsaechlichen Stellung er niemals wegen technischer mit der Planung und Errichtung von Mob-Anlagen zusammenhaengender Fragen zu Rate gezogen oder mit ihnen befasst wurde.

Ferner wird vorgetragen, dass Paul Haeffliger schweizer Staatsangehoeriger ist und in den Jahren 1934 bis 1936 der schweizer Konsul in Frankfurt war; daher mussten seine Mitarbeiter, soweit sie nach den Bestimmungen unter Schweigepflicht standen, ihm insoweit Informationen ueber solche Dinge vorenthalten.

Was die Bevorratung von Nickel betrifft, so wird gezeigt werden, dass dies angesichts der vorherrschenden Umstaende eine natuerliche Vorsichtsmassnahme war, die keinesfalls die Vorbereitung eines Angriffskrieges bedeutete.

Abgesehen hiervon wird Beweis angetreten werden fuer das Verhalten Paul Haeffligers gegenueber den verschiedenen auslaendischen Geschaeftspartnern, aus dem sich ergibt, dass er Verhandlungen immer auf einer rein geschaeftsmaessigen und von einem freundschaftlichen Geiste getragenen Grundlage fuehrte, und dass er niemals das Ziel der Schwaechung des Potentials und der Entwicklung nichtdeutscher Industrien verfolgte, ganz zu schweigen davon, dass er solche Gelegenheiten nicht fuer Zwecke der Nazi-Propaganda benutzte.

Ferner wird die Verteidigung Auszuege aus Reden bringen, die Paul Haeffliger in seiner Eigenschaft als schweizer

Konsul vor der schweizer Kolonie Frankfurts hielt und die seine demokratische Gesinnung und seine Liebe fuer den Frieden ergeben. Der Vollstaendigkeit halber tragen wir vor, dass Paul Haefliger niemals ein Mitglied der Nazi-Partei noch einer ihrer Gliederungen war, und dass er keine Regierungsstellung oder eine Position in der halbamtlichen Wirtschaftsorganisation "Reichsgruppe Chemie" inne hatte.

Was den Punkt II der Anklage betrifft, so sind die angeblichen Pluenderungsaeflle in Oesterreich und im Sudetenland bereits vom rechtlichen Gesichtspunkt aus in dem Antrag behandelt worden, den die Verteidigung diesem Gericht in der Morgen-Sitzung vom 17. Dezember ueberreicht hat.

Ferner wird Beweis daefuer angetreten werden, dass diese Faelle keineswegs als Pluenderungsaeflle bezeichnet werden koennen. Die Rolle, die Paul Haefliger in diesen Transaktionen spielte, wird in das richtige Licht gesetzt werden.

Das Obengesagte gilt von allen anderen angeblichen Pluenderungsaefllen, mit denen die Anklage versucht, meinen Klienten in Verbindung zu bringen.

Was Punkt III der Anklage betrifft, so traegt die Verteidigung vor, dass, wenn man seine Stellung als Kaufmann beruecksichtigt, Paul Haefliger niemals etwas mit Arbeiterbeschaffung oder irgend welchen anderen damit verbundenen Fragen zu tun hatte, und dass er keinerlei Verbindung mit irgend welchen anderen Handlungen hatte, die in diesem Anklagepunkt behandelt werden. Obwohl die Anklage kein Material in dieser Richtung vorgetragen hat, wird die Verteidigung Beweis fuer ihre Behauptung antreten.

Da Paul Haefliger von Punkt IV der Anklage nicht betroffen wird und der Vorwurf der Verschwörung unter Punkt V bereits behandelt wurde, so bringt mich dies zum



Schluss meiner Ausführungen.

Hohes Gericht,

Die Anklage hat in den vergangenen Monaten vor Ihren Augen eine gewaltige Flut von Beweismaterial ueber die Taetigkeit eines der groessten Konzerne in der Geschichte der Menschheit ausgebreitet. Und bei uns Allen wurde die Erinnerung an den grausamsten Krieg seit Menschengedenken wieder wach, der den tragischen Hintergrund dieses Prozesses bildet.

Dieses Hohe Gericht verkoeperert die stolze Tradition eines grossen Landes, das sich immer fuer Menschenfreiheit und -wuerde einsetzte, und ich glaube, im Sinne dieser Tradition zu sprechen, wenn ich sage, dass, wenn wir uns der Opfer dieses furchtbarsten aller Kriege wuerdig erweisen wollen, wir nichts Besseres tun koennen als uns <sup>zu</sup>leiten/lassen nicht durch Gefuehlswallungen, politische Verallgemeinerungen oder Geruechte, sondern nur durch Tatsachen, die uns in die Lage versetzen, in einer jeden Zweifel ausschliessenden Weise die Verantwortung jedes Angeklagten fuer das, was geschah, zu beurteilen.

Und in diesem leidenschaftslosen Geist werde ich versuchen, meine Pflicht als Verteidiger des Angeklagten Paul Haefliger vor diesem Gericht zu erfuellen.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Erich von der HEYDE

German





*Defense  
Case 6*

Eröffnungsrede

für

Dr. Erich von der Heyde

vor dem

Militärgerichtshof VI

Fall VI

gegen Krauch u.a.

von

Rechtsanwalt Karl Hoffmann

Nürnberg im  
Dezember 1947



Herr Präsident, meine Herren Richter !

Mein verhältnismässig häufiges Auftreten in diesem Gerichtssaal für den Angeklagten Erich von der H e y d e war nicht bedingt durch die Zahl der Dokumente oder Affidavits, die die Anklage gegen den Angeklagten Erich von der H e y d e vorgebracht hat.

Dieses Auftreten war veranlasst durch den Wunsch, die Wahrheit finden zu helfen, nachdem ich die Überzeugung erlangt hatte, dass weder Stellung noch Arbeitsgebiet dem Angeklagten von der H e y d e überhaupt die M ö g l i c h k e i t gaben, auf das, was hier zur Verhandlung steht, einen Einfluss auszuüben.

Die Begründung für meine Überzeugung fand ich im Folgenden:

Der Angeklagte von der H e y d e war kein Mitglied des Vorstandes der I.G..

Er war kein Mitglied des Zentralausschusses dieses Vorstandes.

Er war weder Betriebsführer noch Abteilungsleiter, weder Direktor noch Prokurist in der I.G..

Er war seit 1926 bis zum Frühjahr 1939, also 12 Jahre lang, als einfacher Angestellter bei der I.G. tätig.

Er wurde erst im Frühjahr 1939 aus der Reihe der Angestellten herausgehoben, als er Handlungsbevollmächtigter wurde,

Da er verliess er aber noch nicht die Reihen der einfachen Angestellten der I.G., sondern blieb in



ihnen.

Nach den Begriffen der deutschen Industrie beginnt die Stufenleiter der leitenden Angestellten überhaupt erst mit dem Prokuristen.

Dies wurde der Angeklagte von der H e y d e jedoch niemals.

Es entspricht deshalb auch allein den tatsächlichen Verhältnissen in der deutschen Industrie, wenn man die Stellung des Angeklagten von der H e y d e als Handlungsbevollmächtigter nicht, wie es die Anklage tut, mit "power of attorney" sondern mit "head clerk" übersetzt.

Der Angeklagte von der H e y d e blieb sogar in dieser letzten Stellung nur verhältnismäßig kurze Zeit, da er 1940 bereits zur Wehrmacht eingezogen wurde und bei dieser bis zum Ende des Krieges blieb.

Die I.G. hielt es nicht für nötig, ihn von Wehrdienst freizustellen.

Diese Tatsachen stehen objektiv fest, obwohl von der Anklage immer wieder von einem Prozess gegen die 23 "leitenden Direktoren der I.G." gesprochen wurde.

Nachdem die Anklage ihr Beweismaterial vorgetragen hat, bin ich nach wie vor von der Richtigkeit meines ersten Eindruckes überzeugt. Ich werde mir erlauben, dem Hohen Gerichtshof die Begründung für meine Überzeugung respektvoll vorzutragen.

Die Anklage hat 1 834 Dokumente vorgelegt.

Dokumente, in denen der Name des Angeklagten von der H e y d e genannt ist, oder Dokumente, die er selbst verfasst hat, sind zahlenmäßig ausserordentlich gering.

Der Name des Angeklagten von der H e y d e erscheint auch in diesen wenigen Dokumenten gleicherweise entfernt von dem tatsächlichen Geschehen, das hier zur Anklage steht, wie seine Stellung entfernt ist von der der meisten anderen Angeklagten.

Die wenigen Dokumente, die die Anklage gegen ihn vorgelegt hat, sind hauptsächlich Protokolle des Kaufmännischen Ausschusses der I.G., in denen der Name des Angeklagten von der H e y d e erscheint.

Ich glaube wohl mit einigem Recht zunächst feststellen zu können, dass dieser Kaufmännische Ausschuss an sich nichts strafbares darstellte.

Darüber hinaus steht fest, dass der Angeklagte von der H e y d e überhaupt kein Mitglied des Kaufmännischen Ausschusses war.

Die wenigen Male, wo er in diesen Dokumenten erscheint, wird er ausdrücklich als " z e i t w e i s e " anwesend bezeichnet.

Der Zeuge Frank-Fehle, der darüber befragt wurde, warum der Angeklagte von der H e y d e zeitweise im Kaufmännischen Ausschuss anwesend war, erklärte, dass man ihn zwecks Arbeitserleichterung, als Sachbearbeiter für eine einzige Frage, hinzugezogen hat.

Er erklärte weiter, dass die Anwesenheit des Angeklagten von der H e y d e ohne jeden Einfluss auf die tatsächlichen Entscheidungen des Kaufmännischen



Ausschusses war.

Der Hohe Gerichtshof wird dies auf den Seiten 1976 ff. des deutschen, Seiten 1988 ff. des englischen Protokolls finden.

Sonst konnte ich, bis auf zwei Ausnahmen, die ich gleich behandeln werde, keine Dokumente, ausser seinen eigenen Affidavits oder der von Mitangeklagten, finden, in denen der Angeklagte von der H e y d e überhaupt genannt ist oder die auf ihn Bezug nehmen.

Von den beiden Dokumenten, die hiervon eine Ausnahme machen, ist das eine ein Brief, den der Angeklagte von der H e y d e an den Angeklagten von Schnitzler im März 1940 geschrieben hat.

Es ist dies das Dokument NI-7626, Exhibit Nr. 927, Dokumentenbuch Nr. 49.

Aus diesem Dokument geht hervor, dass bis zum Zeitpunkt seiner Abfassung, nämlich dem 30. März 1940, von der I.G. weder eine Fünfte Kolonne noch eine Spionage im Ausland organisiert war.

Warum die Anklage diesen Brief überhaupt vorgelegt hat, erscheint mir unerfindlich, denn er widerspricht ja der Behauptung der Anklage, dass die I.G. bis dahin eine Spionage im Ausland und eine Fünfte Kolonne organisiert hatte.

Das Antwortschreiben des Angeklagten von Schnitzler vom 3. April 1940 ist bezeichnend.

Es ist dies das Dokument NI-3804, Exhibit Nr. 928, Dokumentenbuch Nr. 49.

Dieser Brief ist höflich, aber ausweichend und schlüssig nichtssagend.

Geschehen ist offensichtlich auf den Brief des Angeklagten von der H e y d e nichts.

Das andere Dokument ist vom April 1940 und behandelt etwa die gleiche Frage.

Es ist dies das Dokument NI-1447, Exhibit Nr. 930, Dokumentenbuch Nr. 49.

Auch zu diesem Dokument ist dasselbe zu sagen, wie zu dem ersten Brief des Angeklagten von der H e y d e an den Angeklagten von Schnitzler.

Zusammenfassend ergibt sich aus beiden Dokumenten, dass sie erstens in Kriege verfasst worden sind, zweitens nur eine Vorbereitungshandlung darstellen und drittens, wie aus ihrem Inhalt hervorgeht, von dem Angeklagten von der H e y d e nicht aus einem Antriebe geschrieben worden sind.

Aus dem Inhalt der beiden Briefe ergibt sich aber auch, dass der Angeklagte von der H e y d e in der Zeit vorher, d.h. also insbesondere vor dem Kriege, nicht das war, was die Anklage behauptet, nämlich ein Abwehr - A g e n t .

Der Angeklagte von der H e y d e war ein Abwehr-B e a u f t r a g t e r .

So lautete die offizielle deutsche Bezeichnung, die auch gleichzeitig genau den Inhalt der Tätigkeit eines solchen Mannes feststellte.

Wenn der Angeklagte von der H e y d e ein Abwehr-A g e n t gewesen wäre, so hätte seine Tätigkeit nicht



nur eine passive sein dürfen, sondern auch eine aktive, denn das Wort Agent kommt vom lateinischen "agere" und heisst handeln.

Das Wort Beauftragter aber zeigt an, dass die Tätigkeit des Angeklagten von der Heydö nicht im Sinne einer Spionage gedacht war, sondern allein in der passiven Tätigkeit der Abwehr.

Eine solche Tätigkeit ist aber auf Deutschland nicht allein beschränkt, sondern ist notwendig zum Schutz und zur Sicherung eines jeden Staates und kann deshalb um ihrer selbst willen nicht als verbrecherisch angesehen werden.

Was die Tätigkeit des Angeklagten von der Heydö als ehrenamtlicher Mitarbeiter im SD anbelangt, so hat der Zeuge der Anklage Otto Ohlendorf ausgesagt, dass der Angeklagte von der Heydö schon im Jahre 1938, ganz sicher aber im Jahre 1939, aufhörte, ehrenamtlicher Mitarbeiter des SD zu sein. Auch hat der Zeuge Otto Ohlendorf erklärt, dass der Angeklagte von der Heydö nur dazu benutzt wurde, um die Organisation des Zeugen, den SD, über Konzernfragen zu unterrichten, die nicht geheim waren und die man sich auch, allerdings mit viel mehr Zeit, durch ein gründliches Bücherstudium hätte aneignen können.

Mit Denunziantentum hatte die Tätigkeit des Angeklagten von der Heydö nach der Aussage dieses Zeugen nichts zu tun.

Der Hohe Gerichtshof wird dies auf Seite 4506 ff. des deutschen, Seite 4485 ff. des englischen Protokolls

finden.

Organisationsmassig aber gehörte der Angeklagte von der H o y d e der Reiter-SS an, der er im Jahre 1933 beiträt und die der Internationale Militärgerichtshof nicht für verbrecherisch erklärt hat.

Ich darf den Hohen Gerichtshof in diesem Zusammenhang auf die Aussage des Zeugen Karl W o l f f hinweisen.

Sie findet sich in Protokoll des Beauftragten dieses Hohen Gerichtshofes vom 15.12.1947 vormittags.

Auch die eigenen Affidavits des Angeklagten von der H o y d e oder die seiner Mitangeklagten, soweit sie sich überhaupt mit ihm befassen, geben kein anderes Bild.

Ich muss fast zweifeln, dass die Anklage, die die Vorgesetzten und Kollegen des Angeklagten von der H o y d e - darunter auch solche, die ebenfalls Abwehrbeauftragte waren - hier als ihre freien Zeugen brachte, diesen nach seiner wirklichen Bedeutung und dem, was er tatsächlich getan hat, in die Anklagebank brachte.

Vor einigen Monaten hat ein Abgeordneter im englischen Unterhaus die Anfrage gestellt, ob nach der Anklage gegen die Direktoren und Vorstandmitglieder der I.G. auch eine Anklage gegen die Arbeiter und Angestellten erfolgreich würde.

Dies würde im direkten Widerspruch sowohl zum Urteil des Internationalen Militärgerichtshofes in Nürnberg, als auch zum Kontrollratsgesetz Nr. 10 stehen.



Es hätte zum Ergebnis die allmähliche Feststellung einer Kollektivschuld, die festzustellen der Internationale Militärgerichtshof abgelehnt hat.

Es widerspräche aber auch der weitesten Auslegung des Kontrollratsgesetzes Nr. 10, wie sie von der Anklage selbst auf Seite 2 und Seite 7 der deutschen Fassung des ersten Teils ihres vorläufigen Memorandums und Schriftsätzen vom 6. Dezember 1947 gegeben worden ist.

Ich bin deshalb nach wie vor der Ansicht, dass dieser Hohe Gerichtshof allein die Individualschuld des Angeklagten von der H o y d e beurteilen wird.

Was ich dazu jetzt zu sagen hatte, habe ich oben ausgeführt.

In meiner Beweisführung könnte ich diese Ausführungen nur vertiefen und zwar in der Hauptsache durch Zeugen, die entweder Vorgesetzte oder Kollegen des Angeklagten von der H o y d e waren oder seine Arbeiten nach seiner Einberufung zur Wehrmacht übernahmen und die sich sämtlich in Freiheit befinden.

Ich bin jedoch der Ansicht, dass der bisherige Beweisvortrag der Anklage nicht die Möglichkeit bietet, bei Berücksichtigung der Individualschuld des Angeklagten von der H o y d e zu einer Verurteilung zu kommen.

Mit den Anklagepunkten I, II und III hatte der Angeklagte von der H o y d e nichts zu tun, weil ihm seine Stellung entweder keine Möglichkeit gab, hierauf irgend einen Einfluss auszuüben, oder sein Arbeitsgebiet damit überhaupt nicht befasst war.

Der Anklagepunkt IV fällt weg, weil der Angeklagte von der H e y d e im Jahre 1938 als ehrenamtlicher Mitarbeiter in SD ausschied und im übrigen der als nicht für verbrecherisch erklärten Reiter-SS angehörte.

Der Wegfall des Anklagepunktes V ergibt sich bei der Stellung des Angeklagten von der H e y d e von selbst.

---



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Heinrich H O E R L E I N

GERMAN



Defense  
Case 6

• P E N I N G - S T A T E M E N T

d e r V e r t e i d i g u n g

f u e r d e n A n g e k l a g t e n

P r o f e s s o r D r . H e i n r i c h H e e r l e i n

---

D r . D r . O t t o N e l t e ,

V e r t e i d i g e r

N u e r n b e r g

---



*Gunn*



Opening-Statement Hoerlein

A. Der Angeklagte Prof. Hoerlein wird - zusammen mit allen anderen Angeklagten - beschuldigt, an der Planung, Vorbereitung, dem Beginn und der Fuehrung von Angriffskriegen und Einfaellen in andere Laender teilgenommen zu haben.

Dieser Punkt der Anklage betrifft die Gesamtverantwortung, die sich aus der Eigenschaft Prof. Hoerleins als Mitglied des Vorstandes der I.G. Farbenwerke ergeben soll.

Hierzu wird es darauf ankommen, darzulegen, inwieweit Prof. Hoerlein an Beschlussen oder sonstigen Massnahmen mitgewirkt oder solche geduldet hat, die - fuer ihn erkennbar - auf die Planung, Vorbereitung, den Beginn und die Fuehrung von Angriffskriegen gerichtet waren.

Der Vortrag der rechtlichen Bedenken zu dem Problem der Gesamtverantwortung und Verschwörung bleibt vorbehalten.

Prof. Hoerlein wird in einem Affidavit seine Stellung, seine Funktionen und seine Zustaendigkeit im Rahmen der Gesamtverwaltung der I.G. - Vorstand und Zentralausschuss - darlegen. Hieraus wird sich das Bild einer dezentralisierten Geschäftstätigkeit ergeben, die es bei dem ungeheuren Umfang der I.G. praktisch unmöglich machte, dass jedes Vorstandsmitglied ueber Einzelheiten der geschäftlichen Tätigkeit der anderen Vorstandsmitglieder, jedenfalls ueber Motive und Zweck, orientiert sein konnte.

Prof. Hoerlein, der im Vorstand neben Prof. Lautenschlaeger und Direktor Mann den pharmazeutischen Zweig der Sparte II, sowie die pharmazeutischen Betriebe und Laboratorien in Elberfeld-Leverkusen vortrat, wird im Zeugenstand darlegen und durch Dokumenten-Material beweisen, dass der Pharma-Zweig weder

#### Opening-Statement Hoerlein

durch die nationalsozialistische Bewegung und Regierung, noch durch die Wehrmacht, d.h. durch die Aufrüstung Vorteile hatte.

Die Entwicklung dieses Zweiges der I.G. war nicht durch die Aufrüstung beeinflusst, sondern international, d.h. durch den Export bedingt. Dadurch ergab sich zwangsläufig und aus Überzeugung der leitenden Männer eine internationale, auf Volkerverständigung und Frieden gerichtete Einstellung. Darüber hinaus wird bewiesen worden, dass Pläne für die Tätigkeit in Frankreich, die im Juli 1939 beschlossen wurden, und für Russland, die im Oktober 1940 erstellt wurden, den Verdacht ausschliessen, dass die massgebenden Männer des pharmazeutischen Zweiges, wie Prof. Hoerlein, an einen Krieg glaubten. Noch Ende Juli 1939 empfingen Mann und Hoerlein in Leverkusen und Elberfeld autoritative Vertreter der englischen pharmazeutischen Welt, wobei beide Teile ihrer internationalen Verbundenheit Ausdruck verliehen.

In drastischer Weise wird durch Vorlage von Dokumenten der Beweis geführt worden, dass Prof. Hoerlein seit 1933 im Kampf mit der Partei, insbesondere mit Streicher stand, der die fanatischen Anhänger der Naturheilkunde gegen die pharmazeutischen Werke, insbesondere gegen die I.G. unterstützte; ferner dass er persönlich diffamiert wurde, weil er sich im Kampf um die Freiheit der Wissenschaft gegen das von Hitler und Goering geplante Verbot der Vivisektion zu wissenschaftlichen Zwecken einsetzte.

Prof. Hoerlein uebernimmt die volle Verantwortung fuer alles, was in dem von ihm geleiteten Werk Elberfeld unter



Opening-Statement Hoerlein

seiner Leitung geschah. In dieser Stellung war er weitgehend selbststaendig. Eifersuechtig wachte er ueber seine Selbststaendigkeit; aber ebenso selbstverstaendlich respektierte er die Sphaere der anderen Werke und der Gebiete, die seinen Wirkungskreis nicht beruehrten.

B. Zu Punkt 42 der Anklageschrift.

Im Rahmen des Anklagepunktes 1 wird unter Ziffer 42 der Anklageschrift der Name des Angeklagten Prof. Hoerlein genannt. Es heisst dort:

" Die I.G. fuhrte den gressten Teil der wissenschaftlichen Forschungsarbeiten fuer die geheime Entwicklung von Giftgas fuer den Krieg durch. Die Versuche wurden von Angestellten der I.G. unter der Leitung der Angeklagten Hoerlein, Ambros und ter Meer in enger Zusammenarbeit mit der Wehrmacht durchgefuehrt. "

Soweit Prof. Hoerlein und das Elberfelder I.G.Werk in Betracht kommen, ist durch die von der Anklage gestellten Zeugen Dr.Schrader und Prof. Gross die Behauptung der Anklage widerlegt. Ich verweise auf die Aussagen dieser Zeugen (Dr.Schrader S.2228-2258, Prof.Gross S.2709-2723) und beantrage:

" Prof. Hoerlein von der individuellen Anklage in diesem Anklagepunkt freizustellen. "

Sollte das nicht geschehen, behalte ich mir vor, durch weitere Zeugen die Unrichtigkeit dieses Punktes und der Anklage unter Beweis zu stellen.

C. Zu Punkt 53 und 56 der Anklageschrift.

In den Punkten 53 und 56 der Anklage wird die I.G. u.a. beschuldigt, durch ihre Kartellabkommen die amerikanische Pro-

duktion von Atebrin und Sulfapraeparaten gehemmt, ja sogar die Produktion von Atebrin in den Vereinigten Staaten vor der deutschen Kriegserklaerung verhindert zu haben.

Es ist jedoch in der Anklage-Beweisfuehrung kein einziges hierauf bezuegliches Beweisstueck vorgelegt worden.

Ich beantrage daher zu diesem Punkt in erster Linie:

" das Hehe Gericht moege das Verfahren zu Punkt 53 und 56 der Anklageschrift einstellen. "

Versorglich biete ich durch Vorlage von Dokumenten und Affidavits, sowie durch Befragen des Angeklagten Hoerlein im Zeugenstand den Beweis an, dass diese Behauptung der Anklage, nicht nur unrichtig ist, sondern dass durch die Erfindungen des von Prof. Hoerlein organisierten und geleiteten Elberfelder I.G.-Werkes jaehrlich Millionen von Menschen das Leben erhalten und hunderten von Millionen Menschen die Gesundheit wieder gegeben werden kann, wenn <sup>fuer die</sup> ~~die~~ betroffenen Gebiete verantwortliche MMtion von diesen Erfindungen Gebrauch macht. Allein die Zahl der jaehrlichen Todesopfer an Malaria, dessen wirksamstes Bekaeempfungsmittel das Atebrin ist, wird von verschiedenen Seiten zwischen 3,5 - 8 Millionen geschaezt. Die Zahl der an Malaria Erkrankten auf 500 - 800 Millionen, das ist ein Viertel bis ein Drittel der lebenden Menschheit.

D. Der Anklagepunkt 2, soweit " Deutsche Pluenderung im Westen" behauptet ist, wird in seiner Allgemeinheit von anderer Seite der Verteidigung behandelt werden.

Prof. Hoerlein wird im Zusammenhang mit dem zweiten Vertrag (Dok.NI-8611, Exh.1275) genannt, den die I.G. mit Rhône-Poulenc schloss.



#### Opening-Statement Hoerlein

Aus diesem Dokument und der vorzulegenden Korrespondenz ergibt sich, dass Hoerlein die Interessen des französischen Partners in der loyalsten Weise anerkannt und in freundschaftlicher Weise mit den Repräsentanten der Firma Rhône-Poulenc verkehrt hat.

Hierzu wird sich der Angeklagte Hoerlein im Zeugenstand äussern. Ferner werde ich ein Affidavit des Dr. Mietsch verlegen, der der ständige Begleiter von Prof. Hoerlein bei den verschiedenen technischen Besprechungen war. Ein Affidavit des Generaldirektors B. von Rhône-Poulenc wird Ihnen zeigen, wie Prof. Hoerlein seine unbedingte Loyalität durch die Tat bewies.

#### E. Zu Punkt 128 der Anklageschrift.

Die Frage der Beschaffung, Beschäftigung und Behandlung von Fremdarbeitern im Allgemeinen wird Herr Kollege Helmuth Dix behandeln.

Bezüglich des Werkes Elberfeld, dessen Leiter der Angeklagte Hoerlein war, ist von der Anklagebehörde kein Beweis angeboten worden. Das einzige, auf diesen Anklagepunkt bezügliche Dokument NI-7513, ein Affidavit Moyeux, ist zwar im Dokumentenbuch 70 enthalten, aber von der Anklage nicht vorgelegt worden.

Die Verteidigung ist also nicht in der Lage, zu einer konkreten, Prof. Hoerlein belastenden Behauptung Stellung zu nehmen.

#### F. Zu Punkt 131 der Anklageschrift.

Der Vortrag der Anklage zu diesem Punkt ist nicht schlüssig. Hierzu wäre im Falle Hoerlein erforderlich gewesen, zu behaupten,

Opening-Statement Hoerlein

ten und nachzuweisen:

- a) die Kenntnis, dass die Testa bzw. Dogesch Zyelon-B an das KL Auschwitz lieferte und
- b) die Kenntnis, dass dort dieses Zyelon-B zur Vergasung von Menschen verwandt worden sollte.

Die Anklage hat, soweit Prof. Hoerlein in Betracht kommt, die eine Tatsache vorgetragen, dass er Mitglied des Verwaltungsrats der Dogesch war (Dok.NI-12073, Exh.1765). Hier fehlen verschiedene Glieder in der Kette einer schlussigen Beweisführung; es fehlt die Behauptung, dass dem Verwaltungsrat diese Details der Geschäftsführung bekannt gegeben worden seien, es ist kein Protokoll einer solchen Sitzung vorgelegt, es wurde kein Beweismittel angeboten, wonach Hoerlein auf irgendeine Weise Kenntnis erlangt hätte.

Das kann nicht genuegen, um den ungeheuer schweren Vorwurf der Anklage zuzulassen.

Ich beantrage daher fuer den Angeklagten Hoerlein:

" Das Hohe Gericht moege feststellen, dass dieser Punkt der Anklage nicht schlussig begruendet ist und daher zurueckgewiesen wird. "

Im Falle der Ablehnung dieses Antrags wird Prof.Hoerlein den Beweis fuehren, dass er in der kritischen Zeit an keiner Sitzung des Verwaltungsrats oder Gesellschafter-Versammlung teilgenommen und auch keinen Bericht erhalten hat, aus dem Lieferungen des Zyelon-B an Auschwitz oder die furchtbare Verwendung in Birkenau erkennbar gewesen waere.

Im Uebrigen nehme ich Bezug auf die Beweisführung fuer den Mitangeklagten Mann.



Opening-Statement Hoerlein

G. Zu Punkt 134 der Anklageschrift.

Die Anklage behauptet (S.174) :

" Auf dem Gebiet der Pharmazutika hatte der Angeklagte Hoerlein die Gesamtaufsicht und Kontrolle und auch die endgueltige Verantwortung. Die Arbeiten der sich mit pharmazeutischen Produkten befassenden Werke unterstanden seiner Leitung und Hoerlein war es, der dem Vorstand Bericht erstattete."

Diese Behauptungen der Anklagebehörde sind durch die eigene Einlassung der Anklage und die bisherige Beweisführung widerlegt.

1.) Die von der Anklagebehörde vorgelegte Basis-Information und die Schaubilder sind zwar keine Beweismittel, aber es ist ihre Einlassung, die sie gegen sich gelten lassen muss.

Aus dem vorgelegten Schaubild ueber die verschiedenen zur I.G. gehoerigen Werke ergibt sich:

- a) dass Prof. Lautenschlaeger der Leiter der Betriebsgemeinschaft Maingau war, zu der ausser dem von ihm selbst geleiteten Werk Hoechst auch die Serum- und Impfstoffwerke Marburg und Eystrup gehoerten, waehrend Prof. Hoerlein das zur Betriebsgemeinschaft Niederrhein (Leiter Dr. Kuchno) gehoerige Werk Elberfeld leitete (s. Basis-Information Band I, S. 28) .
- b) Prof. Lautenschlaeger bestaetigt in seinem von der Anklage vorgelegten Affidavit NI-8004, Exh. 307 unter 2.4 seine von Prof. Hoerlein voellig unabhaengigen Funktionen. Der Schlusssatz zu 2.4 lautet:

" In dieser Eigenschaft als Werksleiter war mir die

Opening-Statement Hoerlein

Forschung, die Produktion und die Gefolgschaftsbetreuung uebertragen. "

2.) Der Anklage-Zeuge Dr.Struss hat im Kreuzverhoer erklart:

- a) " Prof.Hoerlein ist nicht Vorgesetzter Prof.Lautenschlaegers, des Leiters des Hoechst Werks"(S.1877).
- b) " Prof.Hoerlein ist auf pharmazeutischem Gebiet primus inter pares"(S.1878).
- c) " Die Arbeitsgebiete von Elberfeld und Hoechst waren selbststaendig"(S.1875).

3.) Die Bedeutung der pharmazeutischen Hauptkonferenz wird in der Basic-Information BandI, S.21, richtig wiedergegeben. Sie stimmt ueberein mit der Erklarung von 8 Vorstandsmitgliedern, die von dem Zeugen der Anklage Direktor Paulmann (S.2135) bestaetigt wurde.

Sie lautet:

" Die pharmazeutische Hauptkonferenz war ein Zusammen-treffen aller Direktoren der pharmazeutischen Abteilungen von Elberfeld, Hoechst und Leverkusen (Wissenschaftler, Fabrikanten, Propagandisten und Kaufleute) unter dem Vorsitz von Prof. Hoerlein. Sie nahm Berichte ueber neue Produkte, deren Untersuchung in medizinischen Laboratorien abgeschlossen war, sowie ueber Ergebnisse der in klinischer Pruefung befindlichen Produkte entgegen, fasste Beschluesse ueber deren Herausbringen und unterrichtete sich ueber den Stand der Fabrikation und des Absatzes, sowie ueber Patent- und Lizansierungsfragen....."

Danach war die pharmazeutische Hauptkonferenz eine Zusammenkunft



Opening-Statement Hoerlein

gleichgestellter Dienststellen des pharmazeutischen Zweiges zum Zwecke gegenseitiger Information ohne Entscheidungsbefugnis ueber die Geschaeftsfuehrung oder Forschung dieser Dienststellen.

4.) Auch die Behauptung:

" Hoerlein war es, der dem Vorstand Bericht erstattete" wird durch das von der Anklage vorgelegte Affidavit Prof. Lautenschlaegers (Dok.NI-9811, Exh.1520, Punkt 16,) widerlegt, wonach dieser ueber die in den Hoechst und Marburger Laboratorien erzielten Fortschritte berichtete.

Ist damit schon die primaeore These der Anklagebehörde gegen Prof. Hoerlein widerlegt, so wird zu diesem Komplex ausser einem Affidavit des Mitglieds und Protokollfuehrers der pharmazeutischen Hauptkonferenz seit 1934, Dr.Lutter, Beweis durch das Zeugnis Prof. Hoerleins und der 8 schon erwachten Vorstandsmitglieder angeboten.

5.) Es ist richtig, dass Prof. Hoerlein seit 1935 Vorsitzender des Aufsichtsrates der Behringwerke Marburg war. Die Anklagebehörde hat die Funktion des Aufsichtsrats der I.G. (S.54) im Allgemeinen richtig dargelegt, wenn sie sagt:

" Die Mitgliedschaft im Aufsichtsrat war hauptsächlich eine Mitgliedschaft ehrenhalber."

Und an anderer Stelle (S.54) :

" Er - der Aufsichtsrat - trat zusammen, um den Bericht des Vorstandes entgegenzunehmen, auf dem Papier war er fuer die Wahl der Vorstandsmitglieder verantwortlich."

Diese fuer die Gesamt-I.G. zutreffenden Ausfuehrungen gelten in noch staerkerem Masse fuer die Aktiengesellschaften,

Opening-Statement Hoerlein

die Teile und in Wirklichkeiten nur Filialen der Gesamt-I.G. waren, wie z.B. die Behringwerke A.G. Marburg.

Hiertrat der Aufsichtsrat einmal im Jahre zur Bilanzsitzung zusammen, um die gesetzlich vorgeschriebenen Ordinarien zu erledigen, d.h. die Bilanz und den Jahresbericht zur Kenntnis zu nehmen. Einen Einfluss auf die Geschäftsführung hatte der Aufsichtsrat nicht, aber auch das auf die geschäftliche - nicht wissenschaftliche - Tätigkeit des Vorstands bezügliche Kontrollrecht war seit dem Aktiengesetz vom 30. Januar 1937, in dem das Führerprinzip des Vorstandes in der Gesellschaft eingeführt wurde, sehr beschränkt.

Prof. Hoerlein wird durch Vorlage von Affidavits den Beweis führen, dass die jährliche Bilanzsitzung und Generalversammlung mit einer einzigen Ausnahme in den Vorkriegsjahren in Leverkusen, also nicht in Marburg stattfand und dass er auf die Geschäftsführung der Behringwerke keinen Einfluss hatte. Die auf Seite 2 der Anklageschrift aufgestellte Behauptung, dass Prof. Hoerlein der Leiter der Entwicklung von Seren und Impfstoffen war, trifft nicht zu. Sie steht auch im Widerspruch zu dem von der Anklage vorgelagten Affidavit Lautenschlaeger, NI-8004, Exh. 307, Z. 4.

Danach steht fest, dass Prof. Hoerlein weder die Leitung, noch die Aufsicht oder Kontrolle über andere Werke hatte, als über die von ihm selbst geleiteten Laboratorien und Betriebe.

Hiermit soll nicht gesagt sein, dass die einzelnen pharmazeutischen Werke ein isoliertes Dasein führten; selbstverständlich bestand zwischen ihnen ein Kontakt und Erfahrungsaustausch,



#### Opening-Statement Hoerlein

soweit gleichartige Arbeitsgebiete vorlagen. Und es waere  
toericht, leugnen zu wollen, dass in diesem Kreis die Per-  
soonlichkeit Prof.Hoerleins durch ihr Wissen, ihre Erfahrung  
und ihre Anciennitaet ein grosses Gewicht hatte. Solche auf  
allen Gebieten und zu allen Zeiten bestehenden Verschieden-  
heiten in der faktischen Bedeutung einzelner Personenlichoi-  
ten haben nichts zu tun mit der organisatorischen Frage des  
Rechts - und damit der Pflicht - , Anweisungen zu erteilen oder  
Aufsicht auszuueben.

II. Dieselben Erwagungen galten auch im Verhaeltnis Prof.  
Hoerleins zu Dr.Mortons, dem verantwortlichen Leiter der Wis-  
senschaftlichen Abteilung in Leverkusen, die organisatorisch  
und lokal der pharmazeutischen Verkaufsgemeinschaft angeglie-  
dort war. Diese Wissenschaftliche Abteilung erhielt von Elber-  
feld - wie auch von Hoechst - die Praeparate, nach-dem sie im  
Laboratorium und im tierexperimentellen Versuch entwickelt  
waren.

Durch Zeugnis der Prof. Hoerlein unterstellten Profes-  
soren Dr. Domagk, Kikuth und Weese wird nachgewiesen werden,  
dass diese Praeparate das Elberfelder Werk erst verliessen,  
nachdem sie in gewissenhaftester und verantwortungsvollster  
Weise nach dem letzten Stande der Wissenschaft als aussichts-  
reich fuer die Behandlung gewisser Krankheiten erkannt waren.  
Hierueber wurde der wissenschaftlichen Abteilung ein ausfuehr-  
licher Expose uebergeben, aus welchem sich alle Merkmale fuer  
die therapeutische Behandlung, sowie fuer etwaige, nach  
menschlicher Voraussicht moeglichen Nebenwirkungen ergaben.

Auf Grund dieses Exposés leitete die Wissenschaftliche Abteilung in eigener Verantwortung die klinische Prüfung ein, indem sie das Präparat mit dem Exposé anerkannten und erfahrener sowie zuverlässigen Ärzten zur Erprobung übergab.

Wenn auch grundsätzlich mit der Übergabe des Präparates und des Exposés die Arbeit des Elberfelder Werkes abgeschlossen war, so war es doch natürlich, dass die sich bei der klinischen Prüfung des Elberfelder Präparates ergebenden Erfahrungen und Rückfragen zu laufenden Rücksprachen mit den Elberfelder Stellen führten.

Für diesen ganzen Komplex wurden die Exposés über die Elberfelder Präparate B 1054 und Methylenblau vorgelegt, sowie das Zeugnis von Dr. Mertens und seiner Untergebenen Dr. Koenig und Dr. Luecker angeboten. Diese Zeugen werden sich auch über den Begriff der klinischen Prüfung und der therapeutischen Versuche, sowie darüber aussprechen, dass es sich bei der klinischen Prüfung nicht um "Experimente" handelt, wie die Anklage in diesem Prozess behauptet.

Für die allgemeine Beurteilung dieser Frage gibt die Erklärung der Anklage im Arztprozess eine klare, auch von der Verteidigung anerkannte Richtlinie. Sie lautet:

" Die einzige Frage, die wir in Bezug auf dieses Exhibit stellen müssen, ist, ob sich die 39 Versuchspersonen auf natürliche oder künstliche Weise dieser Typhus-  
seuche zugezogen haben. Ich behaupte, dass tatsächlich kein Verbrechen begangen worden wäre, wenn diese 39 unglücklichen Leute sich diese Seuche im KZ Buchenwald zugezogen hätten und sodann als Versuchspersonen



#### Opening-Statement Hoerlein

benutzt worden waren, um die Wirkung dieser beiden Medikamente Rutenol und Akridin zu erproben. Ich sage, dass die Anklagebehörde diesen Standpunkt einnehmen wurde." (Mc Hancy S.1167 Prot. des Arzte-Prozesses)

Obwohl Prof. Hoerlein auf die Auswahl der Aerzte, denen die Elberfelder Praeparate zur klinischen Pruefung uebergeben wurden, keinen Einfluss und somit auch keine Verantwortung hatte, sollen mit Ruecksicht auf die von der Anklagebehörde behauptete Kenntnis und Forderung solcher therapeutischer Versuche mit Elberfelder Praeparaten in K L diese Faelle behandelt werden.

III. Dr. Vetter war Untergebener des schon erwahnten Zeugen Dr. Luecker. Dieser und dessen Vorgesetzter Dr. Mertens werden bekunden, dass Dr. Vetter Prof. Hoerlein nicht unterstellt war. Durch ein Affidavit des Dr. Vetter und durch Prof. Hoerlein wird unter Beweis gestellt, dass Dr. Vetter seit seiner Einziehung zur Waffen-SS niemals mit Prof. Hoerlein gesprochen oder korrespondiert hat, ferner, dass er waehrend seiner Dienstleistung bei der Waffen-SS keinerlei Vergueutung fuer eine Taetigkeit im Interesse der I.G. erhalten hat. Seine Bezuege waren die gleichen, die jeder andere Angestellte der I.G. nach seiner Einziehung zum Waffendienst auf Grund vorgeschriebener Bestimmungen erhielt.

IV. Die Anklagebehörde hat weder einen Beweis dafuer erbracht, dass Prof. Hoerlein eine Anweisung gegeben haette, Elberfelder Praeparate im K L oder sonstigen Lagern im klinischen Versuch zu pruefen, noch dafuer, dass er Kenntnis

Opening-Statement  
Hoerlein

davon hatte, dass Elberfelder Praeparate versuchsweise in K L erprobt wurden. Die Anklage hat auch nicht behauptet, dass Prof. Hoerlein jemals in einem K L war. Die von der Anklage vorgelegten Dokumente ergeben auch nicht, dass Prof. Hoerlein einen Bericht erhalten haette, aus dem zu erhellen war, dass die Elberfelder Praeparate an KL-Insassen ausprobiert wurden. Ohne eine Schlussfolgerung aus den Briefen zu ziehen, die Dr. Vetter an seine Arbeitskameraden in Leverkusen privat gerichtet hat, wird das Zeugnis von Dr. Mertens und Dr. Koenig ergeben, dass Prof. Hoerlein diese Briefe niemals zur Kenntnis gekommen sind.

Jede Kenntnis Prof. Hoerleins musste ueber die Wissenschaftliche Abteilung Leverkusen gekommen sein. Die Zeugen Dr. Mertens, Dr. Koenig und Dr. Jaeger werden bekunden, dass ihnen selbst Dr. Vetter nichts ueber Versuche an KZ-Haefaelingen gesagt hat, geschweige denn ueber aerztlich zu beanstandende Versuche.

V. 1.) Dr. Vetter war zuerst in Dachau taetig. In diese Zeit faellt auch der Brief, den die Anklagebehoerde wie folgt zitiert hat (S. 174) :

" Im August 1941 schrieb Vetter ..... in einem an seinen "Chef" in Leverkusen gerichteten Brief, dass er in einem der groessten und am besten ausgeruesteten K L sich befinde.

Er fuehrte ferner aus: " wie Sie sich vorstellen koennen, habe ich reichlich Gelegenheit, mit unseren Praeparaten zu experimentieren. "



Opening-Statement Heerlein

Wie ein Vergleich mit dem von der Anklagebehörde selbst  
vorgelagten Brief (NI-9402, Exh. 1692) ergibt, heisst es in die-  
sem Brief nicht :

" habe ich reichlich Gelegenheit, mit unseren Prae-  
paraten zu experimentieren ",

sondern

" zumal mir Gelegenheit gegeben ist, auch unsere  
neuen Praeparate auszuprobieren. "

Die Bedeutung dieses Unterschiedes ergibt sich, wenn man  
beruecksichtigt, dass saemtliche Praeparate, die Dr. Vetter  
uebersandt wurden, im Handel, also in jeder Apotheke kauflich  
zu erwerben waren, sodass von einem " experimentieren " ueber-  
haupt keine Rede sein konnte.

Auch das zweite Zitat der Anklagebehörde: (S. 174)

" Wir lassen Ihnen grosse Mengen der verlangten  
Praeparate zugehen "

steht mit dem Wortlaut des Briefes (NI-9409, Exh. 1694) in Wider-  
spruch. In diesem heisst es :

" Falls Sie weitere Mustermengen benoetigen, so bit-  
ten wir Sie, sich der Einfachheit halber direkt  
vom Pharmabureau in Muenchen beliefern zu lassen.  
Wir sind selbstverstaendlich gerne bereit, Ihnen  
jederzeit weitere Muster zur Verfuegung zu stellen,  
wenn beim Pharmabureau Muenchen voruebergehend bei  
einem Praeparat Materialknappheit auftreten sollte. "

Schliesslich ist die Behauptung der Anklage, dieser Brief  
sei von Dr. Mertens unterzeichnet, falsch. Wie sich aus demsel-

ben Dokument ergibt.

Damit sind die sich auf den Komplex Dr.Vetter-Dachau beziehenden Behauptungen der Ankl. gebohoerde widerlegt, zumal irgendwelche Berichte Dr.Vetters ueber die Anwendung der ihm uebersandten Heilmittelnicht vorgelagt sind.

2.) Dr. Vetter hat dann spaeuer das Praeparat B 1034 von Leverkusen erhalten und, wie aus der Beweisaufnahme hervorgeht, in Monowitz und Mauthausen angewandt. Hierzu werden die Zeugen Dr.Mertens, Dr.Koenig und Dr.Luecker bekunden:

- a) dass Dr.Vetter, der ihnen als gewissenhafter Arzt bekannt war, seine Kameraden in Leverkusen dringlich um Hilfe zur Bekaempfung des epidemisch auftretenden Flecktyphus bat;
- b) dass ihm dieses Praeparat, das schon vorher an vielen anderen Stellen erprobt war, mit dem Expose ueberlassen wurde;
- c) dass ihm niemals Praeparate gegeben wurden, die nicht schon anderwaerts in deutschen Krankenhaeusern und Lazaretten geprueft waren;
- d) dass dieses Praeparat auf Grund der Erfahrungen, nach menschlicher Voraussicht keinem Erkrankten einen gesundheitlichen Schaden zufuegen konnte;
- e) dass Dr.Vetter niemals davon gesprochen oder berichtet hat, dass dieses Praeparat anders als an Erkrankten therapeutisch angewandt wurde.
- f) dass er insbesondere nichts von einer Behandlung nach kuenstlicher Infektion gesunder Menschen er-



Opening Statement Hoerlein

wachnt hat;

- g) dass Dr. Vetter in seinen Berichten oder Gesprächen sogar niemals erwachnt hat, dass er mit diesen Präparaten KL-Häftlinge behandelt hat, dass infolgedessen Dr. Mertens nicht nach Elberfeld etwas berichten konnte, was die Vermutung missbräuchlicher Benutzung nahegelegt hätte.

Hierzu nehme ich Bezug auf die Aussage des Angeklagten Pohl, wonach die I.G. weder mit der ärztlichen Betreuung der KZ-Insassen, noch mit der Versorgung mit Medikamenten in Monowitz etwas zu tun hatte; ferner dass die Werkeleitung keinen Einfluss auf die Einstellung und Behandlungsweise der Lagerärzte hatte; schliesslich, dass die Lagerärzte den strengsten Geheimhaltungsbefehlen unterworfen waren.

3.) Die Anklagebehörde hat Prof. Hoerlein in Verbindung gebracht mit den therapeutischen Versuchen, die Dr. Ding im Januar 1943 im KL Buchenwald mit Methylenblau nach dem Ding-Tagebuch gemacht haben soll.

Wenn die Anklage in diesem Zusammenhang ausführt:

" Im September 1942 draengten die Angeklagten Hoerlein und Lautenschlaeger Mrugowsky, die therapeutische Wirkung der Präparate 3582 " Akridin " und " Methylenblau " auf Fleckfieber zu prüfen " ( S.176 ),

Opening-Statement Hoerlein

Es hat sie hierfuer keinen Beweis erbracht. Ich will der Verteidigung Prof. Lautenschlaegers nicht vorgreifen. Soweit das Praeparat Methylenblau in Betracht kommt, dessen Wirkung auf Fleckfiebererreger in Elberfeld von Prof. Kikuth gefunden wurde, wird auf das zu ueberreichene Expose verwiesen, aus dem sich ergibt, dass es sich bei Methylenblau nicht um ein neues Praeparat handelte, sondern um ein seit Jahrzehnten bekanntes und im Handel befindliches Praeparat, das nach menschlicher Voraussicht keine schaedliche, wohl aber eine guenstige Wirkung auf den Fleckfieberpatienten haben konnte.

Durch ein Affidavit Mrugowsky wird bewiesen, dass Prof. Hoerlein mit diesem niemals ueber Versuche mit Methylenblau gesprochen hat. Die Anklage hat diesbezueglich Beweise nicht vorgelegt. Richtig ist, dass Elberfeld Leverkusen angewiesen hat, an Mrugowsky Methylenblau zu liefern.

Es fehlt fuer die Behauptung der Anklage, dass Prof. Hoerlein Mrugowsky gedraengt habe, die therapeutische Wirkung von Methylenblau auf Fleckfieber zu pruefen oder gar, dass Prof. Hoerlein Kenntnis von den Versuchen Dr. Dings in Buchenwald hatte, an jeder schluessigen Beweisfuhrung. Die Uebersendung des Methylenblau - das Mrugowsky in jeder Apotheke erhalten konnte - findet seine Erklaerung darin, dass man in Elberfeld glaubte, und auch glauben konnte, dass Mrugowsky als Oberster Hygieniker der Waffen-SS in Berlin und Hygiene-Spezialist in der Bekaempfung des Fleckfiebers ein aerztliches Interesse an



Opening-Statement Hoerlein

Präparaten haben musste, die bei der grossen und allgemeinen Gefahr eine therapeutische Hilfe bedeuteten. Die Anklagebehörde hat keinen Beweis dafür angeboten, dass Prof. Hoerlein Kenntnis von einer Beziehung Mrugowskys zu K L, insbesondere zum KL Buchenwald und Dr. Ding hatte, den Prof. Hoerlein nicht kannte. Dieser wird im Zeugenstand hierüber befragt werden.

Prof. Lautenschlaeger hat in seinem von der Anklage vorgelegten Affidavit NI-9811, Exh. 1520 bekundet, dass er mit Prof. Hoerlein nicht darüber sprach, als er auf einer Besprechung mit Dr. Ding entnahm, dass dieser Versuche mit künstlicher Infektion gesunder Menschen machte.

Es ist also jetzt schon, soweit Prof. Hoerlein in Betracht kommt, als nicht bewiesen anzusehen, was die Anklage auf Seite 177 der Anklageschrift behauptet, dass

" die I.G. vollkommen ueber das unterrichtet war, was in Buchenwald vor sich ging. "

H. Um vollstaendig zu sein, soll auch auf den Fall der 150 polnischen Frauen hingewiesen werden, bei deren Erörterung der Name von Prof. Hoerlein von dem Herrn Anklagevertreter erwähnt wurde. Nachdem das Hohe Gericht das hierauf bezuegliche Beweiserbieten der Anklagebehörde zurueckgewiesen hat, kann die Verteidigung auf eine Gegenbeweiserführung verzichten.

I. Wenn eine konkrete Tat der richterlichen Prüfung unterliegt, spielt die Personenlichkeit des Täters nur eine sekundäre

#### Opening-Statement Hoerlein

deere Rolle. Die psychologische Analyse erscheint unerheblich fuer die Kausalitaet des Geschehens.

Hier liegen die Dinge anders. Ich nehme an, dass es im Falle Hoerlein schon an dem Nachweis der objektiven Kausalitaet fehlen wird. Aber mit Ruecksicht auf den Versuch der Anklage, durch die Konstruktion gewisser peripherer Zusammenhaenge mit Hilfe von Kombinationen eine Art Vermutung zu schaffen, bin ich gezwungen, die Persoenlichkeit Prof. Hoerleins zu beleuchten. Die Tendenz der Anklage ist ersichtlich, gewisse Motive, wie Machthunger, nationalsozialistische Einstellung zu unterstellen und daraus die individuelle Bereitschaft abzuleiten, den Weg der Ethik zu verlassen.

In Ergaenzung der schon angebotenen Beweise werde ich zahlreiche Affidavits deutscher, juedischer und auslaendischer Persoenlichkeiten vorlegen. Es wird sich das Bild eines Mannes ergeben, der sich in den schlimmen Jahren nach 1933 ein mutiges und edles Herz bewahrt hat, eines Mannes, dem man bitter Unrecht tut, wenn man ihn, wie der Herr Hauptanklagevertreter, einen "angekraenkelten Geist" und "Architekten der Katastrophe" nennt. Es widerspricht jeder Lebenserfahrung und kann daher ohne konkreten Gegenbeweis nicht angenommen werden, dass ein Mann, der sein Leben dem Wohl der Menschheit weiht, der Tag und Nacht darueber grubelt, wie man den Leiden seiner Mitmenschen Linderung verschaffen kann, gleichzeitig kaltherzig etwas tun oder dulden sollte, was den Sinn seines Lebens illusorisch machen wuerde.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Max J L G N E R

German



*Defence*  
*Case 6*

OPENING STATEMENT  
=====

des  
Rechtsanwalts Dr. Herbert H a t h

vor dem  
Amerikanischen Militärgerichtshof VI  
in Case 6 :

Karl K r a u c h u.a.

für  
Dr. Max J l g n e r .

Nürnberg, Dezember 1947.

*Gemm*





Herr Präsident, meine hohen Herren Richter !

I.

Die Anklagebehörde hat sich bemüht, dem Hohen Gericht darzulegen, dass mein Mandant Dr. Max Jlgner, zum Anklagepunkt I der Planung, Vorbereitung und Führung eines Angriffskrieges schuldig sein soll, weil er als Leiter des Büros der I.G., welches sich in Berlin befand und unter der Bezeichnung Berlin NW 7 bekannt ist, angeblich Spionage und Propaganda getrieben habe, die der Kriegsvorbereitung diene.

In diesem Zusammenhang nennt die Anklagebehörde die Volkswirtschaftliche Abteilung, die Wirtschaftspolitische Abteilung, die sich beide im Büro Berlin NW 7 befanden, sie weist auf die I.G.-Verbindungsmänner hin, die der Konzern im Ausland unterhielt, sie nennt die Vereinigung Carl Schurz, deren Präsident mein Mandant war und die sich, wie ich beweisen werde, um die Verständigung zwischen dem amerikanischen und dem deutschen Volk in intensivster Arbeit bemüht hat. Sie glaubt, die Veranstaltungen, die anlässlich der Kieler Woche durchgeführt wurden und bei denen Zusammenkünfte zwischen deutschen Vertretern der Wirtschaft und ausländischen Männern der Wirtschaft arrangiert wurden, als ruchlose und getarnte Unternehmungen ansehen zu müssen, die lediglich der Spionage dienten. Selbst die Auslandsreisen meines Mandanten, die dieser im

Interesse seiner Firma unternahm, sind nach Ansicht der Anklagebehörde nichts anderes gewesen als die Reisen eines Mannes, der zum Ziel hatte, seine im Ausland gesammelten Erfahrungen und Kenntnisse der Planung und Führung eines Angriffskrieges nutzbar zu machen.

Soviel Behauptungen soviel Irrtümer ! Ich glaube, mich präziser auszudrücken, wenn ich sage, dass die Anklagebehörde hier Vermutungen konstruiert hat, denen jeder schlüssige und haltbare Beweis zur Stützung ihrer Beschuldigungen fehlt. Ich möchte an dieser Stelle die Feststellung treffen, dass nicht ein einziger von der Anklagebehörde gerufener Zeuge, den die Verteidigung im Kreuzverhör gehört hat, bisher bestätigt hat, dass Dr. Max Jlgner - sei es persönlich oder mit Hilfe der erwähnten Büros und Veranstaltungen - eine Tätigkeit entfaltet hat, die man als Spionage bezeichnen oder im Sinne einer Vorbereitung und Planung eines Angriffskrieges rechtlich würdigen könnte. Dabei will ich hier davon absehen, dass die Voraussetzungen, unter denen ein Angeklagter nach dem Urteil des Internationalen Militärtribunals der Planung, Vorbereitung und Führung eines Angriffskrieges für schuldig angesehen werden könnte, von der Anklagebehörde offenbar nicht beachtet sind. Ausführungen hierzu müssen der Schlussargumentation vorbehalten bleiben.

Ich werde mich daher bemühen, in meiner Beweisführung die Grundsätze einzuhalten, die das Handwerkszeug eines jeden Juristen sind, nämlich zu prüfen : 1.was wird



behauptet, 2. ist die Behauptung schlüssig und wie wird sie bewiesen und 3. wie lautet der Gegenbeweis. Darüber hinaus werde ich alsdann die Schlüsse ziehen, die ich in rechtlicher Würdigung des Beweisergebnisses dem Hohen Gericht vorzutragen gedenke.

Ein wesentlicher Grundsatz, der mir Lichtschmuck sein wird, ist die Frage nach der persönlichen Schuld. Ich will auch in diesem Verfahren, wie ich es bereits in dem Prozess gegen Flick u.a. tat, nicht versäumen, auf die mir so wichtig erscheinenden grundlegenden Ausführungen des amerikanischen Militärtribunals II in seiner Urteilsbegründung gegen den ehemaligen Feldmarschall Milch hinzuweisen. In diesem Urteil nimmt dieses Hohe Gericht Bezug auf die uralten und grundlegenden Begriffe angelsächsischer Rechtsprechung, die im englischen Common Law verankert sind und die in den Vereinigten Staaten seit deren Entstehung nachdrücklich verteidigt werden. Diese Grundsätze lauten :

Ich zitiere :

"1. Jeder eines Verbrechens Angeschuldigte ist zunächst als unschuldig zu betrachten"

und .

"2. Er bleibt unter diesem Schutz der Rechtsvermutung bis zum zweifelsfreien Beweis seiner Schuld."

Ende des Zitats.

Um aber dem Hohen Tribunal eine Prüfung im Sinne dieser Grundsätze zu ermöglichen, ist es erforderlich, dass ich in meiner Beweisführung zunächst die Stellung

und Bedeutung meines Mandanten darlege, die dieser innerhalb des Vorstandes der I.G. einnahm. Damit werde ich verbinden eine Darstellung über Sinn und Zweck des Büros Berlin NW 7, in welchem mein Mandant sein Arbeitsgebiet fand.

Wenn wir die individuelle Schuld untersuchen, können wir an der Persönlichkeit des Beschuldigten nicht vorübergehen, ohne uns näher mit ihr zu beschäftigen, d.h. wir müssen uns ein Bild machen über das, was zum Aufgabenbereich dieses Mannes gehörte, was er mit seiner Arbeit für Absichten verfolgte und was er zu erreichen trachtete. Dieses Bild wird in krassem Gegensatz zu dem Bild stehen, welches die Anklagebehörde von meinem Mandanten zeichnete.

Es ist der Verteidigung bekannt, dass während des Krieges in Amerika eine Hetzschrift mit dem Titel "Die apokalyptischen Leiter der I.G." entstand, die sich aus durchsichtigen Gründen - wir wollen sie ruhig Konkurrenzgründe nennen - gegen die I.G. und ihre leitenden Angestellten richtete. Und wir glauben, in dieser Tatsache eine Quelle zu sehen, die -möglicherweise unbewusst- die Konturen des Bildes beeinflusst, welches die Anklagebehörde in ihrer Eröffnungsansprache von den Angeklagten gezeichnet hat.

Wenn ich hier auf die Persönlichkeit meines Mandanten hinweise, der angeblich seine Hand für die Planung, Vorbereitung und Führung eines Angriffskrieges geboten haben soll, so kann ich nicht umhin, dem Hohen Tribunal die Ausführungen des Zeugen der Anklage Dr. Kurt Krüger ins



Gedächtnis zu rufen, welcher in bezug auf meinen Mandanten in so überzeugender Weise ausführte : "....."dass er (Dr. Jlgner) die Friedensschalmei so laut blies, dass er darüber das Schmettern der Kriegstrompete überhören konnte." Damit ist aber die Persönlichkeit meines Mandanten in bezug auf den Anklagepunkt I treffend gekennzeichnet.

Unter der Leitung dieses Mannes stand das Büro Berlin NW 7, zu dem -wie ich bereits erwähnte- u.a. auch die Volkswirtschaftliche Abteilung (Vowi) gehörte. Diese Volkswirtschaftliche Abteilung war eine Idee von Geheimrat Carl Bosch, welcher den Professor von Moellendorff im Jahre 1928 nach New York geschickt hatte, um dort die Einrichtung des National Industrial Conference Board zu studieren mit dem Ziel, dieses für die amerikanische Industrie so wichtige Institut kennenzulernen und wenn möglich eine ähnliche Einrichtung in Deutschland zu schaffen. Mein Mandant, der sich zum gleichen Zeitpunkt in New York befand und mit Professor von Moellendorff zusammentraf, griff diese Idee mit der ihm eigenen Aufgeschlossenheit sofort auf, weil sie ganz seiner kosmopolitischen Einstellung entsprach, die auf eine wirtschaftliche Zusammenarbeit der Völker gerichtet war. Hierzu bot ihm die Arbeit eines solchen volkswirtschaftlichen Institutes das nötige Rüstzeug. Mit dem damaligen Präsidenten des National Industrial Conference Board, Magnus Alexander, bestand eine enge Fühlungnahme.

Professor von Hoellendorff und Dr. Jlgner haben diese amerikanische Einrichtung für so zweckmässig gehalten, dass sie dieses Vorbild für die A.G. nutzbar machten und eine entsprechende Abteilung -nämlich die Vowi- gründeten. Um aber der ursprünglichen Idee von Geheimrat Bosch zu entsprechen, erwuchs die Verpflichtung, die Arbeiten dieser Volkswirtschaftlichen Abteilung der gesamten interessierten deutschen Volkswirtschaft zugänglich zu machen. Die Vowi war also kein Geheimbüro. Jeder grössere Geschäftsmann konnte sich dort die Auskünfte über volkswirtschaftliche Daten erbitten, die ihn interessierten. Und es ist keineswegs etwas besonderes, wenn die Behörden des Staates, wie z.B. das Wirtschaftsministerium oder die Wirtschaftsabteilung des Auswärtigen Amtes und später in Zeiten drohender politischer Verwicklungen -insbesondere während des Krieges- auch militärische Stellen, sich von dieser Volkswirtschaftlichen Abteilung Informationen und Auskünfte forderten. Ich glaube mich nicht zu täuschen, wenn ich annehme, dass der National Industrial Conference Board seine Arbeiten ohne zu zögern den amerikanischen Behörden gleichfalls zur Verfügung gestellt hat und dass es möglicherweise in Amerika gar keines Gesetzes bedarf, welches die Auskunft seitens privater Firmen an staatliche Behörden erzwingt, wie dies im Dritten Reich der Fall war.

Darüber hinaus bestand ein Austausch der Arbeiten der Vowi sowohl mit dem grossen englischen Konzern Imperial Chemical Industries, mit der National City Bank of New York, als auch mit einer Reihe anderer Organisationen, die über ähnliche Einrichtungen verfügten. Selbstver-



ständig bestand auch ein solcher Austausch der Arbeiten mit den deutschen Instituten, wie z.B. dem Institut für Weltwirtschaft an der Universität Kiel, dem Institut für Konjunkturforschung in Berlin. Die Anklagebehörde hat eine Liste über die Arbeiten der Vowi dem Hohen Gericht überreicht. Diese Liste ist unvollständig. Ich werde mich bemühen, sie zu ergänzen. Ich wäre glücklich, wenn ich dem Hohen Gericht sämtliche Arbeiten der Vowi auf den Lichtertisch legen könnte, um sagen zu können, man möge wahllos eine Arbeit herausnehmen, um zu prüfen, ob diese die Annahme rechtfertigt, dass es sich um Arbeiten handle, die zum Zwecke einer Kriegsvorbereitung angefertigt wurden. Leider werde ich aus Mangel an Zeit und infolge der Tatsache, dass durch die Fliegerangriffe der Alliierten viele Bibliotheken und private Sammlungen vernichtet worden sind, dazu nicht in der Lage sein. Jedoch werde ich einige in meinem Dokumentenbuch dem Hohen Gericht vorlegen können, damit das Gericht einen Eindruck gewinnen kann.

Der scharfe internationale Wettbewerb auf dem Weltmarkt machte es erforderlich, dass - sollte diese Volkswirtschaftliche Abteilung überhaupt von Nutzen sein - möglichst umfassende Erkenntnisse verarbeitet wurden.

Jedermann weiss, dass die Wirtschaft eines Landes von der Politik der Regierenden beeinflusst wird. Infolgedessen konnte eine zuverlässige Beobachtung des Marktes nicht gut die politische Situation eines Landes ausser acht lassen, soweit durch diese die Wirtschaft beeinflusst wird. Denn falsche Beurteilungen kosten Geld,

wenn man Summen in Unternehmungen investiert, die möglicherweise von der Politik zerschlagen werden können.

Für die Anklagebehörde ist das alles Spionage. Für jeden internationalen Kaufmann eine wirtschaftliche Notwendigkeit. So war es z.B. dank der Arbeiten der Volkswirtschaftlichen Abteilung möglich, dass die I.G. von der Dollarabwertung im Frühjahr 1935 nicht überrascht wurde und ganz erhebliche Verluste dadurch vermieden werden konnten. Das ist zweifelsohne ein Verdienst meines Mandanten. Ich werde in meiner Beweisführung daher dem Hohen Gericht darzulegen haben, dass die von der Anklagebehörde aufgestellten Behauptungen über die Vowi und ihr Wirken unzutreffend sind.

Das gleiche gilt für die Wirtschaftspolitische Abteilung, die ebenfalls seitens der Anklagebehörde gründlich verkannt wird. Es bedarf gar keiner Frage, dass ein Unternehmen von der Weltbedeutung der I.G. daran interessiert sein musste, wie seitens der Behörden die Handelspolitik, wie z.B. die Zollpolitik, geplant wird. Die aus der Not der Zeit geborene strenge Regulierung der innerdeutschen Wirtschaft, deren akuten Mangel an Rohstoffen zu studieren gerade in der Jetztzeit amerikanische Behörden ausreichende Gelegenheit haben, machte die Beobachtung von Kontingentszuteilungen und vielen anderen wirtschaftlichen Massnahmen des Staates erforderlich. Andererseits versuchten die Verkaufsgemeinschaften der I.G., durch diese Abteilung ihre Vorschläge -z.B. für die Gestaltung von Handelsverträgen- an die staatlichen Stellen zu



übermitteln. Nach Ansicht der Anklagebehörde war sie ein Spionageinstitut. Den Beweis ist sie uns hierfür allerdings schuldig geblieben.

Hier darf ich kurz erwähnen, dass mit dieser Abteilung nicht die "Vermittlungsstelle W" verwechselt werden darf, die ihr Büro zwar ebenfalls im Hause "Berlin NW 7" hatte, mit der jedoch mein Mandant nichts zu tun hatte.

Ich werde Ihnen, meine hohen Herren Richter, ferner in meiner Beweisführung die Tätigkeit der sogenannten I.G.-Verbindungsmänner zu zeigen haben, die offenbar besonders die Aufmerksamkeit der Anklagebehörde erregt haben. Jedoch zu Unrecht. Auch hier war es ein ausländisches Beispiel, welches Herr Dr. Jlgner auf seinen Auslandsreisen kennengelernt und als nützlich für die Geschäftszwecke seiner Firma erkannt hatte. Die "supervisors", wie sie bei der Standard Oil of New Jersey, der National City Bank und den Imperial Chemical Industries üblich sind, waren das Muster für die I.G.-Verbindungsmänner. Es handelte sich um Herren, welche die Erzeugnisse der I.G. im Ausland verkauften. Von diesen war einer für ein bestimmtes Land als primus inter pares ausgewählt, die Verkaufsinteressen der I.G. in ihrer Gesamtheit in dem betreffenden Lande wahrzunehmen. Die Stellung und Aufgabe dieser Männer wird von der Anklagebehörde völlig verkannt. Mit meiner Beweisführung werde ich die Darstellung der Anklage widerlegen, nach der die Berichte, welche diese I.G.-Verbindungsmänner nach Berlin NW 7 sandten, der Spionage gedient haben sollen. Mit Wissen

und Willen meines Mandanten hat kein einziger I.G.-Verbindungsmann Spionage getrieben, geschweige denn hierzu von ihm den Auftrag gehabt.

Da aber diese Häufung von Unrichtigkeiten noch nicht genügt, ist es schliesslich mein Mandant selbst, der nach Ansicht der Anklagebehörde quasi als Chef der Spionage-Organisation ins Ausland reiste. Nun trat zwar mein Mandant auf seinen Reisen ziemlich sichtbar auf, er hatte Begleiter, und seine universelle Einstellung veranlasste ihn, sich mit allen möglichen Persönlichkeiten von Bedeutung des betreffenden Landes bekanntzumachen. Sein Interesse richtete sich auf alle bemerkenswerten Einrichtungen wohl jeden Gebietes, und jedermann wusste, der sich für ihn interessierte, an welchem Ort sich der "grosse Spion" befand, in welchem Hotel er wohnte, was er dachte und was er ass. Ein solcher Mann, der im Rampenlicht der Öffentlichkeit stand, sich für alles interessierte und sein Herz auf der Zunge trug, ist wahrlich ein schlechter Spion ! Nichts ist meinem Mandanten seiner ganzen Natur nach fremder, nichts weist er mit grösserer Empörung zurück als die Unterstellung, seine geschäftlichen Beziehungen zur Planung und Vorbereitung eines Angriffskrieges ausgenutzt zu haben.

In meinem Dokumentenbeweis werde ich die von meinem Mandanten im In- und Ausland gehaltenen Vorträge, soweit sie noch in Wortlaut vorliegen und mir erreichbar sind, dem Hohen Gericht zur Kenntnis bringen. So hat Herr Dr. Jlgner im Jahre 1937 in Paris vor der Internationalen



Handelskammer gesprochen. 1938 hielt er einen Vortrag in dem Institut für Weltwirtschaft an der Universität Kiel, im gleichen Jahr sprach er im Rahmen einer Veranstaltung der Deutsch-Niederländischen Gesellschaft in Berlin, 1941 vor dem Mitteleuropäischen Wirtschaftstag in Wien. Es folgten Vorträge, die während des Krieges in Budapest vor dem dortigen Industriellenverband und in Bukarest im Rahmen der deutsch-rumänischen Industrie-Ausschuss-Besprechungen von ihm gehalten wurden. Auch in Oslo, Stockholm und Kopenhagen hat mein Mandant gesprochen.

Aus diesen Vorträgen ist mit eindeutiger Klarheit zu erkennen, in welcher umfassender und aufgeschlossener Weise sich mein Mandant um eine Verständigung und wirtschaftliche Zusammenarbeit Deutschlands mit den übrigen Völkern bemüht hat. Diese auf lange Sicht geplanten Bemühungen, die von den übrigen Vorstandskollegen meines Mandanten geteilt wurden, hatten aber notwendigerweise die Fortdauer des Friedenszustandes zur Voraussetzung. Als dieser unglückselige Krieg aber dennoch ausbrach, war es gerade mein Mandant - wie der Zeuge Dr. Kurt Krüger bekundet hat und wie weitere Zeugen beweisen werden -, der an seinen Ausbruch nicht glauben wollte. Dr. Jlgners wirtschaftliche Pläne und Arbeiten waren auf Frieden eingestellt, ein Krieg musste seine Lebensarbeit vernichten.

Nachdem dieser Krieg nun aber einmal Tatsache war und die Verbindung mit den überseeischen Ländern abgerissen war, wandte sich mein Mandant der Intensivierung der wirtschaftlichen Beziehungen, die mit den südosteuropa-

päischen Ländern bestanden, zu, womit er eine alte Idee aus dem Jahre 1932 wieder aufnahm. Wir haben hier von dem Sojabohnenprojekt in Rumänien und Bulgarien gehört, und auch das Donauschiff-Projekt wurde erwähnt. Gerade die Einstellung, die mein Mandant auch während des Krieges zu den südosteuropäischen Ländern einnahm, ist charakteristisch für seine Einstellung zu den wirtschaftlichen Beziehungen Deutschlands mit der übrigen Welt.

Ich werde dem Hohen Tribunal hierzu neben anderen Beweismitteln die Untersuchungen eines englischen Institutes vorlegen, welches die Wirtschaftspolitik Deutschlands im südosteuropäischen Raum einer Kritik unterzieht und zu würdigen weiss.

Die Anklage glaubt schliesslich, Herrn Dr. Jäger den Vorwurf machen zu können, im Ausland Propaganda für den nationalsozialistischen Staat gemacht zu haben und verweist in diesem Zusammenhang auf den sogenannten "Wirtschaftsführerkreis", dem mein Mandant angehörte und der sich durch seine kurze Lebensdauer auszeichnete.

Ich darf zunächst feststellen, dass es kein Gesetz gibt, welches der Urteilsfindung dieses Hohen Gerichts zugrunde liegt, nach dem es strafbar ist, für sein Land und seine Regierung im Ausland eingetreten zu sein, ja selbst Propaganda gemacht zu haben. Die Anklagebehörde hätte den Beweis - nicht nur die Behauptung - erbringen müssen, dass diese angebliche Propaganda das Ziel verfolgte, einen Krieg zu entfesseln. Diesen Beweis der



Causalität hat die Anklagevertretung jedoch nicht einmal versucht.

Im übrigen kann keine Rede von einer Propaganda durch meinen Mandanten sein, wie sie die Anklage behauptet. Wir wissen, dass im Jahre 1933 im Ausland und insbesondere in Amerika eine starke Propaganda gegen deutsche Exportwaren und Erzeugnisse der I.G. betrieben wurde. Wir nehmen mit einigem Erstaunen zur Kenntnis, dass die Anklagebehörde glaubt, aus der Tatsache einen Vorwurf herleiten zu können, dass dieser Boykott-Propaganda seitens der betroffenen Firmen entgegengetreten wurde. Der amerikanische Propaganda-Fachmann Ivy Lee wurde von der I.G. beauftragt, und sein Rat erbeten, wie man dieser schwer geschäftsschädigenden Tatsache entgegentreten könne. Ich werde beweisen, dass diese Tätigkeit des verstorbenen Mr. Ivy Lee in Amerika nicht zu beanstanden ist und nicht im entferntesten die Tendenz und das Ausmass hatte, welches die Anklagevertretung uns glauben machen will.

Wie viele Millionen Menschen des In- und auch des Auslandes war Herr Dr. Jäger zum Beginn des Nationalsozialismus der Auffassung, dass die Auswüchse und Entgleisungen des Dritten Reiches sich als solche in der Zukunft erweisen würden. Er hatte die Hoffnung, dass sich die wirtschaftlichen Beziehungen mit dem Ausland in der alten Form aufrecht erhalten und fortsetzen liessen und glaubte zunächst Nachsicht empfehlen zu können. In den nächsten Jahren erkannte er jedoch den wahren Kern der sich entwickelnden Nazidiktatur und half politisch und rassistisch

verfolgten Personen im bewussten Gegensatz zum Nationalsozialismus. Diese Haltung meines Mandanten im In- und Ausland hat mit der Planung oder Vorbereitung eines Angriffskrieges nicht das geringste zu tun.

Wenn ich Ihnen, meine Hohen Herren Richter, so in grossen Zügen die wesentlichsten Themen meiner Beweisführung zum Punkt I der Anklage angegeben habe, so bin ich mir klar darüber, dass die Anklagebehörde gleichwohl versuchen wird, ihre Behauptungen mit der Begründung aufrecht zu erhalten, es sei alles nur Tarnung gewesen, wenn die I.G. unter erheblichem Kostenaufwand die engen Verflechtungen mit der Weltwirtschaft zur Steigerung ihres Exportes suchte. Sie wird Ihnen, meine Herren Richter, erklären, dass es gerade das Wesen der Spionage sei, nach aussen hin alles harmlos und legal erscheinen zu lassen, während doch in Wahrheit alle Einrichtungen und alles Streben meines Mandanten auf Spionage und damit auf Führung und Planung eines Angriffskrieges gerichtet gewesen sei. Demgegenüber darf ich schon hier erklären, dass ich keinen Beweis zu führen gedanke, den man im Römischen Recht eine "probatio diabolica" nannte. Es war allein die Aufgabe der Anklagebehörde, ihre Behauptungen zu beweisen. Den Beweis ist sie schuldig geblieben.

## II.

Ich komme nunmehr zum Anklagepunkt II, unter welchem die angeblichen Fälle von Raub und Plünderung verstanden werden. In dem Teil II des Trial-Briefes führt die Anklage-



behörde unter B die Fälle von Ausplünderung an, die in Oesterreich, der Tschechoslowakei, Norwegen und Frankreich sich ereignet haben sollen, und versieht diesen Abschnitt ihrer Darstellung mit der vorsichtigeren Überschrift :  
"Spoliation Cases apparently legal in form."

Ich kann mich hierzu kurz fassen. Soweit mein Mandant überhaupt in Betracht zu ziehen ist, werde ich ebenso wie meine Herren Kollegen den Nachweis erbringen, dass diese Transaktionen nicht nur "augenscheinlich legal" sind, wie die Anklagebehörde sich ausdrückt, sondern tatsächlich nicht zu beanstanden sind. So haben sich z.B. die Verhandlungen mit den Skoda-Wetzler-Werken in Oesterreich über mehrere Jahre hingezogen. Deren Beginn liegt lange vor dem Anschluss Oesterreichs an das Deutsche Reich. Von einem Druck oder Zwang seitens der Angeklagten kann keine Rede sein.

In meiner Beweisführung werde ich den Gegenbeweis für jeden in Betracht kommenden Fall erbringen. Zu diesem Anklagepunkt erheben sich Rechtsfragen, die sich sowohl aus dem Völkerrecht als auch aus dem Kontrollratsgesetz Nr. 10 herleiten und deren Beantwortung eine Schuld der Angeklagten auch aus Rechtsgründen ausscheiden lässt. Dies zu erörtern wird die Aufgabe der Schlussargumentation sein.

### III.

Schliesslich hat die Anklagebehörde geglaubt, den Gesamtvorstand der I.G. unter dem Anklagepunkt III verantwortlich machen zu können, den sie mit der Überschrift "Versklavung und Massenmord" zu versehen beliebt. Mein Mandant war Mitglied des Vorstandes. Innerhalb seines Aufgabenbereiches hatte er weder mit Fremdarbeitern noch mit KZ-Insassen etwas zu tun. Irgendeine Verantwortung zu diesem Anklagepunkt kann Herrn Dr. Max Jlgner nicht treffen. Die Anklagebehörde bemüht sich, mit weit hergeholten Argumenten eine persönliche Schuld zu konstruieren.

Weder der Tatbestand jedoch noch die Lehren über die Teilnahmeform an einem Verbrechen, wie sie in dem Strafrecht aller zivilisierten Völker verstanden werden und wie sie auch nach dem Kontrollratsgesetz Nr. 10 auszulegen sind, bieten eine Möglichkeit, meinen Mandanten verantwortlich zu machen.

Wenn ich zum Abschluss darauf hinweise, dass von einem gemeinsamen Plan oder einer Verschwörung der Angeklagten, an der also auch Herr Dr. Jlgner beteiligt gewesen sein soll; keine Rede sein kann (vergl. Anklagepunkt V), so diene ich nur der Vollständigkeit. Auch hier ist die Anklagebehörde den Beweis für ihre allgemein gehaltenen Behauptungen schuldig geblieben. Soweit erforderlich, werde ich in meiner Beweisführung auch auf diesen Punkt eingehen.



Ich hoffe, dem Hohen Gericht mit meiner Beweisführung  
zeigen zu können, dass Herr Dr. Max Jlgner im Sinne der  
Anklage nicht schuldig ist.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Friedrich J A E H N E

German





Defense  
Case 6

Eröffnungsrede

fuer

Friedrich J a c h n e

vor dem

Militaergerichtshof VI

Nuernberg

Von: Dr. Hans Pribilla

Rechtsanwalt.



*Germ.*

Dr. Pribilla

Herr Praesident, meine Herren Richter!

Wie alle grossen chemischen Werke hatte auch die I.G. Spezialfachleute, die die genialen Fortschritte der Chemiker und Aerzte in stiller unermuedlicher Arbeit verwerteten und die gewaltigen Anlagen praktisch ersannen und aufbauten, in denen die in den Laboratorien erdachten Verfahren Wirklichkeit wurden. Direktor Jaehne war als Vorsitzender der technischen Kommission der Erste unter diesen Spezialfachleuten, ein Mann, dessen Qualitaet als Ingenieurtechniker der Grosse der Gesellschaft, die ihn auf diesen Posten gestellt hatte, entsprach und dessen riesiges Arbeitsgebiet seine Kraefte restlos beanspruchte.

Die Stellung eines Ingenieurs in einer chemischen Fabrik ist eine andere wie in sonstigen Fabriken, in denen die Ingenieure ihre eigenen Erfindungen praktisch auswerten. Wegen dieser Sonderstellung des Ingenieurs in der chemischen Fabrik hatte mein Mandant keinen Einfluss auf die Frage, was und in welchem Umfange produziert werden sollte. An ihn trat man erst heran, nachdem die Frage, ob die Anlage gebaut werden sollte und was dort produziert werden sollte, bereits entschieden war. Er war dann der Mann, der gefragt wurde, wie die Anlage am zweckmaessigsten gebaut werden sollte, und der dann auch fuer die notwendigen allgemeinen Anlagen, wie Kraftwerk, Bahnanlagen, Kaianlagen, Werkstaetten usw. zu sorgen hatte.

Jaehne war in Hoechst Chefingenieur und seit 1936 stellvertretender Betriebsfuhrer. Weniger gross war sein Einfluss naturgemass in den uebrigen Werken der I.G., da dort Chefingenieure sassen, die ihm organisationsmaessig gleichgestellt waren. Nur die Stellung als Vorsitz der technischen Kommission (seit 1931),



als Mitglied des technischen Ausschusses (seit etwa 1933) und als zunächst stellvertretendes (1934) und später ordentliches (seit 1938) Vorstandsmitglied gaben ihm einen grosseren sachlichen und persönlichen Einfluss.

Auch in der Teko war er nur "primus inter pares". Hier war es seine Hauptaufgabe, den Höchststand der Physik und Ingenieurtechnik fuer Anlage und Betrieb der I.G.-Werke zu verwerten. Ferner hatte die Teko billige Energien in grossen Mengen bereitzustellen, schliesslich die Erfahrungen der einzelnen Werke den anderen nutzbar zu machen, fuer eine einheitliche Ausrichtung des gesamten Ingenieurwesens zu sorgen, den Nachwuchs an Ingenieuren und Facharbeitern zu schulen und in Personalfragen mitzusprechen. Die Teko war nur eine von den 30 Kommissionen des TeA. Ihr wurden daher auch nicht alle Kredite zur Stellungnahme vorgelegt, sondern nur solche, die sich auf ingenieurtechnische Fragen bezogen, und die Stellungnahme der Teko erfolgte dementsprechend auch nur vom Standpunkt des Ingenieurs aus.

Die Verteidigung wird nachweisen, dass Jaehne neben diesen ihn ganz ausfuellenden technischen Aufgaben nicht die Moeglichkeit und auch nicht das Interesse hatte, sich um die Politik des Dritten Reiches zu kummern. Sie wird darueber hinaus zeigen, dass er als Gegner jeder Kriegs- und Gewaltpolitik bekannt war. Trotzdem haben sich verstaendlicherweise die damaligen Behoerden die ueberragenden Kenntnisse dieses Mannes nutzbar machen wollen und ihn zum Mitglied des Beirates der Reichsgruppe Industrie gemacht. Jedoch hat er in dieser Stellung ebensowenig eine aktive Taetigkeit entfaltet wie als Wehrwirtschaftsfuehrer, ein Titel, den er vom Reichswirtschaftsministerium und

zwar erst während des Krieges zu einer Zeit verliehen bekam, als es eben nur noch ein Titel war und keinerlei Vorprüfung auf politische Zuverlässigkeit erforderte. Seine Tätigkeit in den ihm übertragenen Ehrenämtern lag, wie deren Liste zeigt und im Einzelnen nachgewiesen werden wird, stets und ausschließlich auf rein technischem Gebiet.

Wenn ich nun die Beweisthesen der Verteidigung den einzelnen Anklagepunkten gegenüberstelle, so darf ich mir nach den Ausführungen meiner Vordrner allgemeine Bemerkungen völlig ersparen.

Direktor Jachne war nicht an der Planung und Durchführung von Angriffskriegen beteiligt, jedenfalls nicht mehr als irgendein Bauer, der seinen Acker bestellte und die Erzeugnisse seiner Arbeit nun im Kriege der Verpflegung der Soldaten zufuhrte. So wie dieser Bauer hat auch mein Mandant nur seine staatsbürgerliche Pflicht getan und nichts Verbrecherisches.

Die Stellung Jachnes als des ersten Ingenieurtechnikers der I.G. brachte es mit sich, dass man seinen technischen Rat auch auf dem Gebiete des Luftschutzes heranzog, wo es sich ja in erster Linie um Bauten von Luftschutzräumen, jedenfalls um rein technische Angelegenheiten handelte. Jedoch wird sich zeigen, dass es sich dabei um eine, bei allen gefährdeten Nationen seit langem berücksichtigte, ausgesprochene Defensivmassnahme handelte. Darüber hinaus wird die Verteidigung zeigen, dass Jachne, entsprechend seiner völlig auf friedensmässige Arbeit eingestellten Gesamtpersönlichkeit, brastete, sparte und sich gegen die Anforderungen der Wehrmacht wehrte, wo er nur konnte.



Direktor Jachne nahm entsprechend seiner Stellung auch an Vorarbeiten fuer die Belegungsplaene des Werkes Hoechst fuer den Mobilisierungsfall teil. Es wird gezeigt werden, dass auch dies nichts mit einem Angriffskrieg zu tun hatte, sondern sich im Rahmen der in allen Laendern ueblichen Massnahme der Landesverteidigung hielt. Seine Taetigkeit beschnraenkte sich darauf, fuer den ingenieurtechnischen Teil die Zahlen an Arbeiten und Rohstoffen anzugeben, die bei der vorgesehenen Produktion fuer diesen Teil des Betriebes gebraucht wurden.

Im uebrigen werde ich nachweisen, dass das Werk Hoechst ebenso wie die Werke des Maingaues keine eigentlichen Ruestungsprodukte lieferte. Sie waren ausgesprochen auf Friedensproduktion eingestellt. Entsprechend sind auch die Investitionen verwandt worden. Wenn im Laufe des Krieges bestimmte Zwischenprodukte der Friedensindustrie als Zwischenprodukte der Kriegindustrie verwandt wurden, so ist dies eine zwangslaeufige Entwicklung und eine Erscheinung, die im Wesen der chemischen Industrie liegt, die ja letzten Endes immer auf die gleichen Urprodukte zurueckgreift. Eine Ausnahme macht nur die Nebelsaeure, die schon in Friedenszeiten zu militaerischen Zwecken geliefert worden ist. Mit dieser hatte Hoechst aber schon vor 1933 das kleine Reichsheer und die winzige Reichsmarine zu reinen Verteidigungszwecken beliefert. Der Sprengstoff Hexogen ist in Hoechst weder erfunden, noch fabriziert worden. Vielmehr wurde von einigen Chemikern des Werkes lediglich ein neues Herstellungsverfahren im Laboratorium entdeckt, und zwar 1935, zu einer Zeit also, als Direktor Jachne noch nicht stellvertretender Betriebsfuehrer des Werkes Hoechst und stellvertretender Oberleiter der Maingaowerke war.

Zu dem Anklagepunkt "Pluendierung" wird der Name meines Mandanten in den Anklagedokumenten nur in Zusammenhang mit der Sauerstoff- und Acetylenfabrik in Metz-Diedenhofen genannt. Es sind in dieser Angelegenheit einige Informationsschreiben wie an andere Stellen so auch an Direktor Jaehne gegangen. Irgendeine aktive Taetigkeit meines Mandanten ist aus diesen Dokumenten nicht ersichtlich. Die Verteidigung wird nachweisen, dass die Verhandlungen von der kaufmaennisch-juristischen Seite gefuehrt worden sind, waehrend die Techniker nur in Bewertungsfragen um Rat gefragt wurden. Die Verteidigung wird ferner nachweisen, dass es ueberhaupt nur zu einer Verpachtung und nicht zu einem Kauf gekommen ist und dass sich der Wert des Werkes infolge der von der I.G. vorgenommenen Investitionen ganz erheblich erhoeht hat.

Davon, dass eine kleine Anlage kurz vor Kriegsschluss aus einer polnischen Fabrik nach Offenbach am Main gekommen ist, wusste Jaehne nichts, da es sich nur um einige Apparate im unbedeutenden Wert von etwa 20.000.- RM handelte, und das Werk Hoechst den Kauf weder veranlasst, noch Kenntnis davon bekommen hat.

Mit der Anwerbung und dem Einsatz von Auslaendern und von KL-Haeftlingen in der I.G. hatte Herr Jaehne nichts zu tun. Wenn Kreditantraege der Werke fuer Barackenbauten fuer deutsche Arbeiter, Fremdarbeiter usw. beim TdA durchliefen oder von der Teko vom technischen Standpunkt begutachtet wurden, so handelte es sich hier um eine rein formale Taetigkeit, da die Art der Baracken, ihre Zahl und Groesse einschliesslich der Nebengebäude fuer eine bestimmte Anzahl Arbeiter seit langem feststand und demnach auch die Ausgaben pro Bettplatz. Die Geldsummen wurden den einzelnen Werken, die sie beantragten, zur Verbesserung der Unterbrin-



gung der Arbeiter genehmigt und eine Ablehnung wurde eine Verschlechterung des Loses der Fremdarbeiter zur Folge gehabt haben.

Bezuglich der Verhaeltnisse in den Hoechst Werken wird die Verteidigung nachweisen, dass die in dem Schaubild Exh. 1559 (NI 7376 A) Dokumentenbuch 68, Seite 17a fuer Leiharbeiter usw. angegebene Zahl unrichtig ist und auch insofern irrefuehrend wirken muss, als in Hoechst ueberhaupt keine KL-Haeftlinge beschaeftigt worden sind. Es wird in Widerlegung des Affidavits De Bruyn, Exh. 1367 (NI 11613) Dokumentenbuch 69, Seite 207 darueber hinaus bewiesen werden, dass die Beschaeftigung von Auslaendern und Kriegsgefangenen in angemessener Weise erfolgte und nicht gegen Artikel 31 des Genfer Abkommens vom 27.7.29 versties, dass fuer ausreichende Unterbringung, Verpflegung, gute aerztliche Versorgung, Schulen, Nachstuben und dergleichen gesorgt war und der Betriebsfuehrer Prof. Lautenschlaeger und Herr Jachne als sein Stellvertreter sich hierum ganz besonders bemuehten. Entsprechend war die Behandlung der Auslaender in Hoechst anstaendig und menschlich. Darueberhinaus war auch fuer die Freizeitgestaltung in grosszuegiger Weise gesorgt. Es gab grosse Aufenthaltsraeume mit Radio, Zeitungen, Bibliotheken, Kantinen, Sportplaetze, Sportgeraete, Theater, Kino und vor allem auch die Moeglichkeit zur Teilnahme am Gottesdienst. Seitens der Betriebsfuehrung wurde alles getan, was unter den nun einmal herrschenden Kriegsverhaeltnissen zu tun moeglich war.

Seine ingenieurtechnische Stellung brachte es mit sich, dass er viele Werke der I.G. zur Klaerung irgendeiner speziellen technischen Frage besuchte. So betrat er auch kurz und fluechtig das I.G.-Werk in Auschwitz. Das KL Monowitz hat er dabei nachweisbar nicht betreten und nichts gesehen, was ihn zu einem Eingreifen

in die selbstaendige Geschaeftsfuehrung des dortigen Werkes, das nicht zu seiner Zustaendigkeit gehoerte, haette veranlassen muessen. Eine durch eigene Beobachtung fundierte oder ueber Geruechte hinausgehende Kenntniss von Vergasungen hat er ebenfalls nicht erlangt.

Die Verteidigung des Angeklagten Jaehne wird ihre Beweisfuehrung durch Vernehmung des Angeklagten als Zeugen in eigener Sache eroffnen und sodann durch Beibringung von Dokumenten und Affidavits und durch die Vernehmung einiger weniger wesentlicher Zeugen beschliessen.

\*\*\*\*\*



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. von K N I E R I E M

German



*Defense  
Case 6*

O P E N I N G - S T A T E M E N T

des

Rechtsanwalts Horst Pelckmann  
als Verteidiger

des Angeklagten Dr. v. KNIERIEM  
in dem Strafverfahren der  
Vereinigten Staaten von Nordamerika

gegen CARL KRAUCH u.a.

vor dem Military Tribunal No. 6

Nuernberg (Deutschland)



*Seemann*



Hohes Gericht)

die Anklagebehörde argumentierte allgemein gegen alle Angeklagten unter Hinweis auf ihre Stellung in der oder zur Nazi-Partei und ihre Bedeutung im deutschen Wirtschaftsleben.

Der Angeklagte Dr. v. Knieriem stand - abgesehen von seiner formellen 1942 begründeten Mitgliedschaft in der NSDAP - Parteikreisen völlig fern. Seine Mitarbeit in den Organen der Selbstverwaltung (Reichsgruppe Industrie, Wirtschaftsgruppe Chemie) und staatlichen Einrichtungen ergab sich aus seinem anerkannten Ruf als Sachverständiger in Fragen des Patent-, Kartell- und Gesellschaftsrechts und blieb auf diese Gebiete beschränkt.

Die Verteidigung gegenüber den besonderen Anklagevorwürfen erfordert eine Darlegung der Stellung und des Verantwortungsbereichs des Angeklagten.

Dr. von Knieriem war - jedenfalls seit 1938 - der erste Jurist (first lawyer) der I.G. Diese Bezeichnung und den Inhalt dieser Stellung kann man nur verstehen, wenn man die Dezentralisation des Rechtswesens der I.G. kennt.

Dr. von Knieriem war nicht der Leiter der Rechtsabteilung (legal department) der I.G., denn so etwas gab es nicht. Er hatte auch nicht die Aufgabe, sich um die rechtlichen Vorgänge zu kümmern. Die juristische Tätigkeit in einem solchen Unternehmen

ist eine Hilfsfunktion fuer die Tätigkeit der Techniker und Kaufleute und war ebenso wie letztere ~~dezentralisiert~~ <sup>dezentralisiert</sup>. Es bestanden eine Reihe von selbstständig arbeitenden Rechtsabteilungen (legal departments) der einzelnen Werke, die unter ihrer eigenen Verantwortung die fuer sie zuständigen Techniker und Kaufleute berieten. Herr von Knieriem

hat die Taetigkeit dieser Rechtsabteilungen (legal departments) nicht ueberwacht und brauchte sie nicht zu ueberwachen. Eine andere Regelung war schon in Anbetracht der Groesse des Unternehmens nicht moeglich; sie war auch unmoeglich, weil mit Ruecksicht auf die Vielgestaltigkeit der Fabrikationen und der Kompliziertheit der chemischen Materie ueberhaupt die Juristen der verschiedenen Rechtsabteilungen technisch und kaufmaennisch informierte Spezialisten werden mussten.

Wegen dieses selbstaendigen Arbeitens der Rechtsabteilungen wurde die Zentralstelle fuer Vertraege geschaffen, die aber einzig und allein bei Abschluss von neuen Vertragen die Frage einer moeglichen Kollision zu pruefen hatte. Ferner gab es den sogenannten "Rechtsausschuss" (legal committee). ~~Dieser war ein Organ fuer die Koordination der Taetigkeit der Rechtsabteilungen.~~ Er trat etwa 2 mal im Jahr unter dem Vorsitz von Herrn von Knieriem zusammen, um gewisse allgemeine Zweifelsfragen zu koordinieren und um Berichte entgegenzunehmen, <sup>n. a.</sup> ~~hauptsächlich~~ auch von Herrn v. Knieriem ueber sein spezielles Arbeitsgebiet der internen gesellschaftsrechtlichen Vorgaenge, wie z.B. Generalversammlungen, Geschäftsabschluesse, Bilanzen, Kapitalveraenderungen, Statuten, Anleihen, Strukturwandlungen im Konzern; ferner ueber das in der I.G. eine grosse Rolle spielende Patentgebiet, das Herrn v. Knieriem unterstand, waehrend es den uebrigen I.G.-Juristen fern lag.

Unter den Punkten der Anklage, die in den Geschäftsbereich des Herrn v. Knieriem fallende Gebiete beruehren oder in denen Geschäftsvorfaelle mit seinem Namen verknuepft sind, befinden sich namentlich



Vorgaenge, in denen zu Unrecht eine verdächtige auf Vorbereitung eines Angriffskrieges gerichtete Zusammenarbeit mit militärischen oder sonstigen staatlichen Stellen erblickt wird. Im einzelnen werde ich zeigen, dass die Behandlung der Patentangelegenheiten in jeder Beziehung einwandfrei war. Die "Camouflage" genannten Massnahmen lassen in keiner Weise den Schluss zu, es habe innerhalb der I.G. oder bei meinem Mandanten Kenntnis eines bevorstehenden Angriffskrieges bestanden oder gar die Absicht, einen solchen zu fördern. Die Vorwürfe, die I.G. habe durch ihre sogenannten Kartelle bewusst das Kriegspotential anderer Laender geschwaecht, werden sich auf Grund der Beweisaufnahme als voellig unbegrundet herausstellen, nachdem der rein privatwirtschaftliche Charakter solcher Vereinbarungen dargetan worden ist. Hierzu werde ich auch auf das von Dr. v.Knieriow mitgeschaffene, von der Anklagebehoerde ausfuhrlich behandelte Vertragsverhaeltnis zur Standard Oil Co., New Jersey, eingehen. Trotz des grossen von der Anklagebehoerde zur Kartellfrage vorgelegten Dokumentenmaterials werde ich mich auf das fuer dieses Verfahren wesentliche beschraenken, wohl wissend, dass die grundsatzliche Frage ueber Wert oder Unwert der Kartelle weder von der Anklage noch von der Verteidigung untersucht zu werden braucht.

Die persoenliche Kenntnis meines Klienten von den von der Anklagebehoerde kritisierten sogenannten Aufruestungsmassnahmen und seine Einstellung zu diesen wird im Zuge meiner Darlegungen behandelt werden.

Im Rahmen der Eroerterung von allgemeinen, alle Angeklagten angehenden Fragen werde ich Tatsachenmaterial vorbringen, zur Frage der Gesamtverantwortung

des Vorstands und der Verantwortlichkeit der einzelnen  
Vorstandsmitglieder und werde zeigen, wie die von  
Dr. von Knieriem seinerzeit verfasste von der Anklage-  
behörde vorgelegte Geschäftsordnung fuer den Vor-  
stand praktisch gehandhabt wurde.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Carl K R A U C H

German



*Defense  
Case 6*

ER O E F F N U N G S R E D E

fuer den Angeklagten

C A R L K R A U C H

vor dem

Militaergerichtshof Fall VI

von

Rechtsanwalt Dr. CONRAD B O E T T C H E R

-----





Bei Beginn ihres Vortrages steht die Verteidigung vor einer schwierigen Frage: Soll der Vortrag der Verteidigung den geradezu nammentartigen Umfang der Anklage angepasst werden? Soll dieselbe Bahn beschritten werden, die die Anklage mit ihren auf Wirkung nach aussen abgestellten Uebersteigerungen gewaehlt hat? Oder soll ein streng sachlicher, oft geradezu nuechterner Vortrag erfolgen? Ich habe mich den Charakter und einen Wunsche von Dr. Krauch entsprechend, fuer den letzteren Weg entschieden, wobei ich in der fuer einen Verteidiger gluecklichen Lage bin, festzustellen, dass diese Einstellung meines Mandanten sich mit meinem eigenen Naturell deckt. Ich waehle also nach Art, Ton und Umfang eine Linie des Beweisvortrages, die unter Vermeidung von aeusseren Effekten sich auf das sachlich unbedingt Notwendige beschraenkt.

- I. General TAYLOR hat in seinem Opening Statement mit besonderen Nachdruck die Anschuldigung der Anklageschrift unterstrichen, wonach auch der Angeklagte Dr. KRAUCH einen grossen Teil der Verantwortung fuer die Heimsuchung der Menschheit mit den verheerendsten und katastrophalsten Krieg in der Geschichte zu tragen habe. Er hat ihn der Massenversklavung, der Pluenderung in Grossen und des Massenmordes beschuldigt. Meine Beweisfuehrung wird zum Ziel haben, diese furchtbaren Anschuldigungen in jeder Beziehung zu widerlegen. In einzelnen werde ich darlegen, dass Dr. KRAUCH nicht ein ehrgeiziger und ruecksichtsloser Industriemagnat, sondern ein ehrenhafter, christlicher, schlichter Mensch, ein verantwortungsbewusster Wissenschaftler und Forscher war, der nie eine strafbare Handlung beging, sein ganzes Leben vielmehr dem techni-

schen und wissenschaftlichen Fortschritt widmete, und zwar nicht nur zu Gunsten Deutschlands, sondern auch des Auslandes, und nicht zuletzt der Ver-



einigten Staaten von Amerika.

Die Anklage behauptet unter Punkt 19 folgendes: "Die IG synchronisierte ihre gesamte Taetigkeit mit den militaerischen Plaenen des deutschen Obberkommandos! Sie verweist dabei insbesondere auf die "Vermittlungsstelle W" und in Zusammenhang damit auf die Taetigkeit des Angeklagten KRAUCH. Sie behauptet ferner: "Die IG nahm teil an der Aufstellung des Vierjahresplanes und an der Lenkung der wirtschaftlichen Mobilisierung Deutschlands fuer den Krieg."

Ich stelle demgegenueber die These auf, dass die in den Punkten 19 ff der Anklage geschilderte Taetigkeit, insbesondere die des Angeklagten KRAUCH, im Rahmen der Vermittlungsstelle W und die Teilnahme am Vierjahresplan keine Taetigkeit und Vorbereitung fuer einen Angriffskrieg und auch keine Teilnahme an der Fuehrung eines Angriffkrieges war. Ich werde den Beweis fuer diese These fuehren durch die Vernehmung des Angeklagten KRAUCH, den ich zu diesen Zweck in den Zeugenstand rufen werde.

Ich werde insbesondere im Rahmen meiner Beweisfuehrung die Stellung des Angeklagten KRAUCH zu den antlichen Stellen der nationalsozialistischen Regierung ab 1933 aufzeigen, sowie die Entwicklung seiner Taetigkeit an Hand seiner eigenen Erklaerungen und an Hand anderer Beweismittel behandeln.

Daraus wird sich ergeben, dass die Aufnahme einer Verbindung mit antlichen Stellen der nationalsozialistischen Regierung nichts Ungewoehnliches war, weil es zur Tradition der IG auch schon vor 1933 gehoerte, Regierungsbeziehungen zu unterhalten; denn die IG war ihrerseits daran interessiert, ueber die Wirtschaftspolitik der Regierung Bescheid zu wis-

sen, und andererseits hatte jede Regierungsstelle ein Interesse daran, ueber die wirtschaftliche Lage eines solchen Unternehmens, wie es die IG war, unterrichtet zu sein. Die Verbindungen kamen aber von Dr. KRAUCH's Seite her nicht



zustande aus irgend welchen politischen Momenten, sondern weil KRAUCH einer der international anerkannten Sachverständigen auf dem Hydriergebiet, Stickstoffgebiet, Buna-gebiet, usw. war. Der Beginn seiner Vorarbeiten und seiner Kenntnisse, seiner internationalen Beziehungen liegen zwei Jahrzehnte vor 1933 zurueck. Die Beweisaufnahme wird ergeben, dass KRAUCH's Handlungsweise immer davon diktiert war, die Wiederholung der fuer die Arbeiterklasse so schweren wirtschaftlichen Ereignisse der Jahre 1929 bis 1933 durch eine richtige Lenkung der Wirtschaft zu vermeiden. Deshalb begruesste er den wirtschaftlichen Aufschwung, der im Jahre 1933 durch die Arbeitsbeschaffungsmassnahmen der neuen Regierung einsetzte. Dass diese Arbeitsbeschaffung zu ihrem Teil auch der Ruestung und Wiederaufruestung Deutschlands diene, wird dabei nicht bestritten werden. Die Beweisaufnahme wird aber den Standpunkt untermauern, dass solche Kenntnis nicht gleichzusetzen ist mit Kriegs- geschweige denn Angriffskriegsabsichten. Auch sein Eintritt in den Rohstoff- und Devisenstab im Jahre 1936 spaeter in den Vierjahresplan stand, wie zu zeigen ist, unter demselben Gesichtspunkt.

In diesem Zusammenhang wird die Stellung Dr. KRAUCH's als Gebeche in Rahmen des Vierjahresplanes zu klaeren sein, was die Anklage bisher voellig unterlassen hat.

Die Anklage bezeichnet Dr. KRAUCH als die "rechte Hand Goerings". KRAUCH leitete aber, wozu ich die Organisation des Vierjahresplanes vorlegen werde, nur eine von mehr als 20 nebeneinander bestehenden gleichgeordneten Dienststellen des Vierjahresplanes. Ich nehme nicht an, dass von mir ein Gegenbeweis nach der Richtung hin erwartet wird, dass Goering nicht ein Mann mit mehr als 20 rechten Haenden war. KRAUCH

fuehrte zwar der der Naziideologie entsprechenden Vorliebe fuer bombastische Titel die Bezeichnung "Generalbevollmaechtigter fuer Sonderfragen der chemischen Erzeugung". Die Beweisaufnahme wird aber ergeben, dass er entgegen dieser Bezeichnung keinerlei Mitwirkung an der Ausuebung irgend welcher Machtbefugnisse und Machtvollkommenheiten hatte. Er war ein hervorragender Generalsachverstaendiger von



- 5 a -

hohen Standing, dies aber auch nicht fuer das gesamte Gebiet der Chemie, sondern nur fuer einzelne Gebiete, fuer die er seit Jahrzehnten als Sachkenner bekannt war. Ein Sachverstaendiger hat aber nur Vorschlaege zu machen; die Entscheidung und Bestimmung lag, wie die Beweisaufnahme feststellen wird, bei anderen Stellen.

- 5 b

Was den von der Anklage behaupteten engen Zusammenhang zwischen der IG und der Taetigkeit von Dr. KRAUCH in Reichsamt fuer Wirtschaftsaufbau, im Vierjahresplan, anlangt, so werde ich aufzeigen, dass die Taetigkeit von Dr. KRAUCH fuer das Reichsamt fuer Wirtschaftsaufbau und als Gebechemie gegenueber der IG streng abgegrenzt war. Schon aus Gruenden persoenlicher Sauberkeit achtete KRAUCH auf voellige Neutralitaet seiner amtlichen Handlungen gegenueber der IG. Diese Tatsachen werden unterstrichen dadurch, dass er seit 1936 nur noch formell, nicht mehr materiell, Mitglied des Vorstandes war. Auch seine Taetigkeit als Vorsitzender des Aufsichtsrates von Frueshjahr 1940 ab hat er praktisch nicht ausgeuebt, sondern seinen Stellvertreter ueberlassen.

Wenn KRAUCH sich fuer eine staatliche Mitwirkung zur Verfuegung stellte, so hat er dies nicht getan aus Ehrgeiz, nicht aus Geltungsbeduerfnis, nicht um Ehre und Titel zu erwerben, sondern aus dem Gefuehl einer persoenlichen Verantwortung der Wirtschaft gegenueber und dem Wunsche eines Mannes folgend, der alles andere als ein Freund des Nationalsozialismus war, naemlich des hervorragenden Wissenschaftlers und damaligen Aufsichtsratsvorsitzers der IG, Carl BOSCH. Mitgeklungen bei der Uebernahme einer Beratung im Vierjahresplan haben dabei auch Erinnerungen an bekannte Erscheinungen des Auslandes, wo sich ebenfalls bewaehrte und erfahrene Fuehrer der Industrie amtlichen Stellen fuer bestimmte Zwecke zur Verfuegung stellten; sie sind unter dem Schlagwort "one-Dollar-men" in die Wirtschaftsgeschichte eingegangen. Die Darlegung gerade dieser Tatsachen und dieser Motive fuer die Uebernahme der Aemter im Rohstoff- und Devisenstab und Vierjahresplan wird ein Brennpunkt meiner Beweis-



fuehrung sein, denn daraus folgt, dass nicht Machtehrgeiz, nicht Machtmomente KRAUCH bestimmten, sondern dass nach den eigenen Worten Carl Bosch's das Ziel war, die "Wissenschaft vor Hitler zu retten" und Parteikraefte auszu-schalten, die die Wirtschaft in einem Sinne beeinflussten, der vermuenftigen wirtschaftlichen Zielen nicht entsprach.

II. Ich werde sodann Stellung nehmen zum Anklagepunkt II und darlegen, dass Dr. KRAUCH

1. weder in seiner Stellung als Leiter des Reichsantes fuer Wirtschaftsausbau, noch als Generalbevollmaech-tigter fuer Sonderfragen der chemischen Erzeugung an den dort behandelten, von der Anklage als strafbar bezeichneten Handlungen beteiligt war;
2. und dass dasselbe auch fuer ihn als Mitglied der IG-Verwaltung galt. Ich habe hierbei wiederum daran zu erinnern, dass Dr. KRAUCH ab 1936 materiell nicht mehr Mitglied des Vorstandes war und dass er auch eine Taetigkeit als Vorsitzter des Aufsichtsrates in mate-riellen Sinne nicht ausgeuebt hat.

Darueber hinaus werde ich zeigen, dass er gerade im Gegen-teil aktiv fuer den Schutz der Wirtschaft der besetzten Laender eingetreten ist. Ich nenne nur zwei Beispiele, die im Beweisvortrag behandelt werden: Es ist dies der Schutz der belgischen, nordfranzoesischen und hollaendi-schen Stickstoffindustrie gegenueber der von antlichen Stellen beabsichtigten Demontage und die Verhinderung der Verschleppung des grossen wissenschaftlichen Laboratoriums, das dem Shell-Konzern in Amsterdam gehoerte. In beiden Faellen hat sich Dr. KRAUCH gegen von ihm missbilligte Massnahmen, die als Raub und Pluenderung haetten bezeich-net werden koennen, unter dem Einsatz seiner Person mit Erfolg zur Wehr gesetzt.

III. Im Rahmen meiner weiteren Beweisfuehrung werde ich Stellung nehmen zur Frage der Beschaeftigung von Fremdarbeitern und Kz-Haeftlingen unter dem Gesichtspunkt, dass es an jeder strafrechtlichen Verantwortlichkeit fuer Dr. KRAUCH mangelt. Ich habe bereits dargelegt, dass ein wesentlicher Punkt meiner Beweisfuehrung sein wird, die Befugnisse und Zustaendigkeiten von Dr. KRAUCH gegenueber den Behauptungen der Anklage auf die richtige Ebene zurueckzufuehren, naemlich die, dass er ein wissenschaftlicher Sachverstaendiger der Regierung fuer Sonderfragen der chemischen Erzeugung im Vierjahresplan war. Dr. KRAUCH hat aber niemals in seiner Taetigkeit als Gebechemie Machtvollkommenheiten und Machtbefugnisse fuer die Verpflichtung, den Einsatz und die Zuteilung von Arbeitnehmern gehabt.

Es wird das Ziel der Beweisaufnahme sein, die Taetigkeit Dr. KRAUCH's in diesem Zusammenhang dahin klarzustellen; er war auch hier Gutachter fuer die Zahlen und Kontingente der Arbeiter, die fuer bestimmte Bauvorhaben als notwendig von anderen Stellen angefordert waren; er hatte zu begutachten die Zuteilung der Arbeiter - aber niemals selbst zuzuteilen - nach den verschiedenen, von Behoerden, die ueber ihm standen, festgesetzten Dringlichkeitsstufen; genau so wie er zu begutachten hatte, welches Material, welche Art von Material, welche Bauausfuehrung usw. notwendig und angemessen waren. Die Frage des Arbeitseinsatzes selbst war Sache der Arbeitseinsatzbehoerden. Wenn er, wie meine Beweisfuehrung dartun soll, darueber hinaus eine soziale Betreuung der Arbeiter der von ihm beratenen Grossbauten durchfuehrte, so aus humanitaeren und menschlichen Gruenden, weil in



Drang der wirtschaftlichen Erschwerungen der Kriegsjahre, die sich staendig steigerten, vielerlei Sorgen an ihn herangetragen wurden, insbesondere solche ueber Unterbringung, Verpflegung und Bekleidung der Arbeiter in den von ihm begutachteten Bauvorhaben.

Da hielt es gewiss auch aus wirtschaftlichen Gruenden, vor allen aber auch aus solchen rein menschlicher Art, Dr. KRAUCH fuer seine Pflicht, einzugreifen und einen Erfahrungsaustausch zu organisieren. Diese Betreuung wird deshalb einen weiteren Punkt meiner Beweisfuehrung darstellen.

Eine grosse Rolle im Beweisvortrag der Anklage spielt auch die Frage der Beschaeftigung von Arbeitern unter Zwang. Ich werde dartun, dass KRAUCH dieses Problem klar erkannt hat. Auf Grund seiner ganzen menschlichen Entwicklung war er gegen eine solche Beschaeftigung unter Zwang, denn ihm als Wissenschaftler lag nur das Ethos der freiwilligen Arbeit. Fuer dieses Prinzip setzte er sich in menschenmoeglichen Rahmen ein. Er hat deshalb auch fruehzeitig, insbesondere auf Grund von Erfahrungen 20 Jahre frueher beim Wiederaufbau des zerstoeerten IG-Werkes von Oppau, den freiwilligen Einsatz unter dem Gesichtspunkt der freiwilligen Verpflichtung der Arbeiterschaft ganzer Firmen, sogenannter Firmeneinsatz, eingefuehrt. Diese These verfolgte Dr. KRAUCH nach meiner Beweisfuehrung auch weiter, als das Programm des Generalbevollmaechtigten fuer den Arbeitseinsatz mit der Heranziehung von Arbeitern unter Zwang zum Anlaufen kam. Die Beweisaufnahme wird ergeben, dass Dr. KRAUCH auch nach dieser Zeit den sogenannten "Firmeneinsatz" mit Erfolg entgegen der Tendenz antlicher Stellen weiter betrieb. Dabei werde ich beweisen koennen, dass Dr. KRAUCH an der Schaffung der Gesetze fuer diesen zwangsweisen Arbeitseinsatz und an der Durchfuehrung dieser Gesetze in keiner Weise beteiligt war. Fuer alle diese Fragen lag er auf Grund seiner Stellung auf einer mittleren Ebene, die mit solchen grundsaeztlichen Entscheidungen weder nach der Seite der Anregung noch nach der Seite des Befehls irgend etwas zu tun hatte.



Allgemeine Fragen des Arbeitseinsatzes behandelt Herr  
Rechtsanwalt Dr. Hellmut D I X . Zur Vermeidung von  
Ueberschneidungen und zur Abkuerzung des Verfahrens werde  
ich diese allgemeinen Fragen nicht behandeln, es

sei denn, dass ich nach der Beweisaufnahme von Herrn Dr. Hellmuth D I X noch etwas besonderes unter dem Gesichtspunkt der Verteidigung meines Mandanten zu sagen haben sollte.

IV. In einem letzten Punkt werde ich auch aufzeigen, dass Dr. KRAUCH seine Stellung als Gebehemie geradezu dazu benutzt hat, Massnahmen nationalsozialistischer Anstalten, die er mit seinem Gewissen nicht vereinbaren konnte, Juden, Wissenschaftlern, kirchlichen und wissenschaftlichen Einrichtungen gegenueber, zu verhindern bzw. zu mildern. Ich werde hier ein erfolgreiches Eingreifen von Dr. KRAUCH schildern lassen, als er von Misstaenden bei der Betreuung von Kz-Haeftlingen - ausserhalb der IG, wie ich unterstreichen moechte - hoerte, ferner seine Hilfe fuer russische, aus der Ukraine geflohene Wissenschaftler, denen er nicht nur das nackte Leben, sondern auch ihr geistiges Standing durch seine Massnahmen erhielt.

Zusammengefasst geht der Inhalt meines Beweisvortrages dahin:

Die Anklage ist in einem Meer von Tatsachen ertrunken. Hinter den Tatsachen steht der Mensch, und es ist der schwere sachliche Vorwurf, den ich gegen die Anklage zu erheben habe, dass sie in diesem, nach ihrer Behauptung um der Menschlichkeit willen eingeleiteten Prozesses den Menschen vergessen hat. Es ist die schwere aber auch schoene Aufgabe der Verteidigung, das Bild des Menschen KRAUCH zu zeichnen und dies zu beweisen: KRAUCH ist kein Mann des bedenkenlosen und gewissenlosen Angriffkrieges, kein Raeuber und kein Pluenderer, kein kaltherziger Sklavenhaendler und kein Klavenantreiber. Die Formulierungen



und Appelle, wie sie die Anklage waehlt, moegen wirksam sein fuer politische Propaganda; mit der Feststellung krimineller Tatbestaende haben sie nichts zu tun. Wie schon betont, werde ich in kurzen, aber wesentlichen Zuegen ein Bild fuer die Beweisaufnahme geboh, wobei das Gericht es bei dem Ernst der Aufgabe gewiss verstehen wird, dass ich auf Tupfen des Details nicht verzichten kann.

In uebrigen moechte ich diese Eroeffnungsrede nicht abschliessen, ohne an den nach Dr. KRAUCH's und meiner Auffassung menschlich ergreifendsten Moment im bisherigen Sitzungsverlauf zu erinnern, als Herr Dr. v. KELLER anlaesslich der Vernehmung des Zeugen SPIELVOGEL Worte tiefsten menschlichen Bedauerns fand fuer all die Leiden, die Unschuldige in den 12 Jahren ueber sich ergehen lassen mussten. Dr. KRAUCH und ich haben sich diese Worte zutiefst zu eigen gemacht und gerade je sicherer wir auf das Ergebnis unserer Beweisfuehrung vertrauen, um so eher koennen wir an das Ende dieses ersten Opening Statement im IG-Prozess als A usklang das Wort stellen: "In Ehrfurcht neigen wir uns vor den ungluecklichen Opfern jener unseligen 12 Jahre".



CASE 6 - TRIBUNAL VI

DEFENSE

(see letter inside)

Opening Statement for Hans KUEHN

German



CASE NO. 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Defendant Rasche.

No Opening Statement was submitted.





CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Hans KUGLER



German

*Defense  
Case 6*

OPENING STATEMENT

des

Rechtsanwalts Helmuth Henze

vor dem

Amerikanischen Militärtribunal VI, Nuernberg

als Verteidiger

des

Dr. Hans KUGLER.



*Germ.*



Meine Herren Richter,

die Anklage stellt die Verteidiger dieses Falles vor die schwierige Aufgabe, aus dem umfangreichen Anklagematerial herauszufinden, was sich auf den einzelnen Angeklagten bezieht. Die Anklagebehörde hat ihr Material nicht hinsichtlich der Personen spezifiziert. Es besteht die Gefahr, sich mit entfernter liegenden Dingen zu befassen, was nicht im Interesse der Beschleunigung des Verfahrens liegt. Diese Gefahr ist besonders gross im Falle meines Mandanten Dr. Hans KUGLER, da er mit Ruecksicht auf seine Position in der T.G. eine weniger wichtige Stellung in diesem Prozess einnimmt. Ich werde versuchen zu vermeiden, weniger relevante Dinge vorzutragen, bin allerdings der Ansicht, dass es nicht mein Fehler ist, sollte mir dies nicht gelingen.

Bei meinen Ueberlegungen habe ich davon auszugehen, dass mein Mandant nicht Vorstandsmitglied der T.G. war. Er hatte somit nicht einmal die aktienrechtliche Verantwortung eines Vorstandsmitglieds, die --wie bereits einer meiner Kollegen ausgefuehrt hat-- eine Verantwortung des Zivilrechts ist, nicht aber eine strafrechtliche. Mein Mandant war hinsichtlich seines geschaeftlichen Handelns lediglich seinen Vorgesetzten verantwortlich. Er war aber auch von den Weisungen seiner Vorgesetzten abhaengig. Ich werde zu untersuchen haben, und ich bitte das Hohe Gericht, bei der Pruefung zu beachten, ob im Einzelfalle mein Mandant ihm erteilte Anordnungen ausfuehrte oder im Rahmen seines Aufgabengebietes selbstaendig handelte. Im ersteren Falle ist es von Bedeutung, ob mein Mandant eine etwa vorhandene Absicht, die den Behauptungen der Anklage entspricht, erkannte oder erkennen musste, sofern sie ueberhaupt bei seinen Vorgesetzten vorlag. Inwieweit ich im einzelnen auf diese Gesichtspunkte noch besonders einzugehen habe, wird von dem weiteren Verlauf dieses Verfahrens abhaengen.

Da mein Mandant lediglich Mitglied einiger Ausschuesse der T.G. war und diese Ausschuesse keine eigene Rechtspersoenlichkeit hatten, sondern von Fall zu Fall willkuerlich zusammengesetzt wurden, ist in strafrechtlicher Hinsicht seine Stellung nicht anders zu behandeln wie die jedes anderen seiner Mitbuerger, der in Deutschland lebte. Ich

behauptete, dass die erwähnten Ausschüsse der I.G. in keiner Weise den dunklen Charakter hatten, den ihnen die Anklage zuzuschreiben beabsichtigt. Ich werde darüber und über die Bedeutung meines Mandanten in diesen Ausschüssen im einzelnen noch Beweismittel vorbringen.

Mein Mandant war Kaufmann, er verkaufte Farbstoffe, er arbeitete in einem Büro, in dem es nur kaufmännische Angestellte gab, nicht aber Arbeiter. Diese Tatsache wird meinen Beweisvortrag begrenzen. Diese meine Ansicht steht auch im Einklang mit dem, was General Taylor in der Zusammenfassung am Schlusse seiner Anklagerede erörterte. Er erwähnte meinen Mandanten lediglich im Zusammenhang mit Punkt I und II der Anklage. Dieser Hinweis wird mir Richtschnur sein.

Neben der Behauptung, dass mein Mandant sich durch sein eigenes Handeln unmittelbar in Widerspruch zum Kontrollratsgesetz Nr. 10 gestellt hat, behauptet die Anklage weiterhin, dass mein Mandant mit den anderen Angeklagten an einem gemeinsamen Plan oder einer Verschwörung teilgenommen habe, die sich auf die Vorbereitung des Angriffskrieges richtete. Wenn diese Menschen, über die das Hohe Gericht zu entscheiden hat, eine derartige Verschwörerergilde gewesen wären, so ist anzunehmen, dass sie einander gut kannten und auch häufig zusammenkamen, um über ihren Plan zu beraten. Man kann nicht einwenden, dass Verschwörerergilden dies im allgemeinen nicht taten, weil sie nicht bekannt werden und nicht den Herrschern in die Hände fallen wollten. Dies mag bei den historischen Verschwörungen der Fall gewesen sein, da die Verschwörer sich gegen ihren eigenen Staat wandten. Nicht aber wäre es so gewesen, wenn die Angeklagten sich mit ihrer Regierung, mit der sie bereits 1933 ein Bündnis abgeschlossen haben sollen, zusammen gegen den Weltfrieden sich verschworen hätten. Im eigenen Lande hätten sie keine Herrscher zu befürchten gehabt. Also konnten sie es tun.

Dazu darf ich darauf hinweisen, dass mein Mandant, als das nach Ansicht der Anklage verbrecherische Treiben der Angeklagten begann, 32 Jahre alt und Prokurist der I.G. war. Prokuristen gab es damals in der I.G. schon Hunderte. Weiterhin möchte ich bemerken, dass mein Mandant die meisten Herren, die jetzt mit ihm zusammensitzen, in der



ersten Haelfte der Epoche seit 1933 nur dem Namen nach, mit sehr wenigen einen engen Kontakt hatte. Ich streife diese Gesichtspunkte im Augenblick lediglich, um meine Behauptung verstaendlich zu machen, dass mein Mandant an dem Phantom der Anklage, dem gemeinsamen Plan dieser Angeklagten wohl nicht mitgearbeitet haben kann. Anhaltspunkte, dass entgegen dieser Ansicht, deren Richtigkeit sich prima facie aus der Stellung meines Mandanten in der I.G. ergibt, Momente vorliegen, dass er bewusst und im Zusammenwirken mit anderen an dem behaupteten gemeinsamen Plan gegen den Frieden gearbeitet habe, kann ich aus dem Dokumentenmaterial nicht entnehmen.

Die Anklage wirft meinem Mandanten vor, sich persoenlich an der Planung, Vorbereitung des Angriffskrieges beteiligt zu haben. Im Punkt I der Anklage hat die Anklagebehoerde in muhevoller Arbeit mosaikartig ein Gebaeude aufgebaut, das einen ursaechlichen Zusammenhang zwischen der Taetigkeit der Angeklagten und dem 1939 begonnenen Angriffskrieg darstellen soll. Ich werde aus diesem Mosaik diejenigen Steinchen herauszusuchen haben, die in einem Zusammenhang mit der Arbeit meines Mandanten stehen. Ich werde den Nachweis erbringen, dass dieses Handeln nicht nur dem von der Anklage behaupteten verbrecherischen Zweck dienlich sein kann, naemlich zur Vorbereitung eines Angriffskrieges beizutragen. Man kann natuerlich in einem modernen Staate jedes Handeln eines Staatsbuergers in Zusammenhang mit einem Kriege bringen, da das ganze Wirtschaftsleben in einem Kriege in allen seinen Einzelheiten fuer die Fuehrung eines Krieges von Bedeutung ist. Ich erwaehne, dass die Tatsache, dass jemand Farbstoffe nach Rumaeenien verkauft, gleichzeitig den Staat in die Lage versetzt, mit dem erloesten Gelde Lebensmittel oder Leder fuer Schuhe fuer die Wehrmacht zu kaufen. Meine Beweisfuehrung wird Ihnen, meine Herren Richter, zeigen, dass manches, was die Anklagebehoerde als eine auf den Angriffskrieg gerichtete Handlung darstellt, sich als harmloser Geschaeftsvorfall aufklaert, wenn man ihn in anderem Lichte als dem Lichte eines argwoehnischen Interrogators sieht.

Wesentlich ist daher, da manche Geschäftsvorfälle auch fuer einen Krieg bedeutungsvoll sein koennen, bei diesem Anklagepunkt nicht die objektive, sondern die subjektive Seite, die Frage der Schuld, die Frage des Wissens um gewisse Dinge, die Frage des Kennens von Zusammenhaengen um diesen Krieg und seine Vorbereitung besonders zu beachten. Die Bedeutung dieser Frage hat General Taylor selbst unterstrichen, als er auf die Schuldfrage besonders aufmerksam machte. Da die Anklagebehoerde nichts vorgetragen hat, aus dem ich entnehmen kann, dass meinem Mandanten ein spezielles Wissen um die Vorbereitung eines Angriffskrieges vorgeworfen wird, sehe ich mich vor die Notwendigkeit gestellt zu untersuchen, ob mein Mandant eine spezielle Kenntnis oder eine allgemeine Kenntnis von der Absicht der Reichsleitung hatte, Angriffskriege vorzubereiten.

Es ist dem Hohen Gericht bekannt, dass das IMT den fruheren Wirtschaftsminister und Reichsbankpraesident Schacht von der Anklage der Teilnahme an der Vorbereitung des Angriffskrieges freigesprochen hat, da Schacht trotz der Tatsache, dass er Reichsminister war, nicht zum inneren Kreis der Eingeweihten gehoerte, denen die Plaene Hitlers bekannt waren. Ich stelle also den Reichsminister Schacht gegenueber dem Prokuristen der I.G. Farbenindustrie und Verkaufsleiter fuer Farbstoffe in einigen suedosteuropaeischen Laendern, Dr. Hans KUGLER. Die Anklage hat nun keinen Beweis angetreten, dass dieser Angeklagte etwa mehr gewusst hat als Schacht, dass er Spezialinformationen hatte, die ihn ueber Hitlers Plaene unterrichteten. Ich werde in meiner Beweisfuehrung die von der Anklage vorgetragenen Geschäftsvorfälle untersuchen, um ueber den nicht gelungenen Beweis der Anklage hinaus meinerseits einen Beweis zu fuehren trachten, dass mein Mandant seine geschaeftliche Aktivitaet nicht auf einen Angriffskrieg, sondern auf nicht verbrecherische Zwecke ausrichtete.

Ich wende mich nun zu den Vorwuerven, die die Anklagebehoerde unter Punkt II der Anklage gegen meinen Mandanten erhoben hat. Im Rahmen der Aufteilung, die zwischen mir und meinen Kollegen vorgenommen worden ist, behandle ich in der Hauptsache die Vorgaenge, die sich im



Herbst 1938 in dem Teil der Tschechoslowakei abspielten, den wir als das Sudetenland bezeichneten.

Die Anklage wirft vor Raub und Pluenderung. Nach den Rechtsbegriffen, die in diesem Lande in der Zeit vor dem Dritten Reich gelehrt wurden, liegt in einem Raube und einer Pluenderung die gewaltsame Wegnahme fremden Eigentums. Ein wesentliches Kriterium ist die Unfreiwilligkeit des Eigentumers. Nach dem Vortrag der Anklage scheint es zweifelhaft, ob andernorts auch mit dem Begriff Raub und Pluenderung das gewaltsame Wegnehmen fremden Eigentums identisch ist. Sie bringt zum Ausdruck, dass jede Eigentumsveraenderung ein Raub darstellt, die in einem Lande hervorgerufen wurde, in dem die deutsche Wehrmacht sich aufhielt. Ich darf bemerken, dass die Anklagebehoerde den dokumentarischen Beweis erbracht hat, dass nach einem Befehl von Keitel die Wehrmacht am 20. Oktober aus dem Sudetenland zurueckgezogen wurde bis auf Friedensstaerke. Es erscheint der Anklage unwesentlich, ob ein direkter Zwang auf den bisherigen Eigentuerer vorgenommen wurde oder ob der Kaufpreis angemessen war oder nicht. Ich ueberlasse es dem Hohen Gericht festzustellen, ob die Anklage damit abgerueckt ist von den meines Erachtens unverrueckbaren Grundsuetzen des Strafrechts, indem sie Tatbestaende unter den Begriff Raub und Pluenderung subsumiert, die in keinem der zivilisierten Laender als solche bezeichnet wurden und auch nicht dem Kontrollratsgesetz Nr. 10 entspricht, in dem von Gewaltakten gegen das Eigentum gesprochen wird.

Nach ihrem Beweisvortrag zu urteilen, erscheint es der Anklage selbst zweifelhaft, ob die vor dem 1.9.1939 begangenen Handlungen als Kriegsverbrechen im Sinne des Kontrollratsgesetzes 10 b anzusehen sind, weil im Falle Sudetenland kein Kriegszustand war. Sie wuenscht daher vorsorglich diese Tatbestaende als Verbrechen gegen die Menschlichkeit anzusehen in der Hoffnung, dass das Gericht wenigstens insoweit folgt, wenn es aus Rechtsgruenden glaubt im Falle der Massnahmen im Sudetenland das Vorliegen eines Kriegsverbrechens zu verneinen. Indessen bin ich der Ansicht, dass auch ein Verbrechen gegen die Menschlichkeit nicht in Frage kommt, weil nach dem Urteil des IMT derartige Handlungen

in Ausführung oder in Verbindung mit einem Angriffskrieg stehen müssen. Dieses Urteil ist ergangen, als bereits das Kontrollratsgesetz Nr. 10 erlassen war und lässt erkennen, dass das Kontrollratsgesetz keine ausdehnende Wirkung gegenüber dem Statut haben sollte. Andernfalls hätte sowohl das IMT, da das Kontrollratsgesetz Nr. 10 bei Urteilsfindung bereits vorlag, nicht die bekannte ablehnende Stellung zur Frage der Verurteilung von Verbrechen gegen die Menschlichkeit eingenommen, die nicht im Zusammenhang mit einem Kriege standen.

Unabhängig davon werde ich in meinem Beweisvortrag die Ereignisse des Herbstes 1938 zu betrachten haben, um dem Gericht den Beweis zu erbringen, dass ein Verbrechen gegen die Menschlichkeit aus objektiven und subjektiven Gründen nicht als vorliegend anzusehen ist.

Die damaligen Tatsachen sind weitgehend unstrittig. Eine wesentliche Frage ist es, ob die Vertreter des Prager Vereins unter einem Zwang gehandelt haben. Es ist die Frage, ob der Zwang ein durch die Zeitumstände verursachter Zwang war, der es der Leitung des Vereins richtig erscheinen liess, das Schwergewicht ihrer Produktion nach dem Süden zu verlagern und sich von den Werken Aussig und Falkenau zu trennen. Eine solche Tendenz ist, wie ich beweisen werde, bereits 1937 erkennbar gewesen. Die weitere Frage ist, ob bei Vertragsabschluss mit der I.G. ein unmittelbarer Zwang, der die Freiwilligkeit des Handelns ausschloss, vorhanden war.

Es ist vor diesem Gericht bereits mehrfach über den Begriff Zwang gesprochen worden. Das Hohe Gericht glaubte Zwang als nicht vorliegend feststellen zu müssen. Es kann daher beinahe schon von einer festen Rechtsprechung zu dieser Frage gesprochen werden. Ich glaube mir hier einen vergleichenden Hinweis erlauben zu dürfen und stelle fest, dass die Umstände, wie der Zeuge Dvoracek sie schilderte, in keiner Weise derartig waren, dass von einem Zwang seitens der I.G. gesprochen werden kann. Der Zeuge Dvoracek kam im Jahre 1938 mit seinen Geschäftsfreunden freiwillig aus dem von der Wehrmacht unbesetzten Prag, zu einer Zeit, als - ich erwähnte es bereits - auch im Sudetenland nur Truppen in Friedensstärke lagen. Er wurde nicht etwa morgens



aus einem Militaergefaengnis zu den Verhandlungen zwangsweise ueberfuehrt. Er konnte mit seinen Freunden wieder in das unbesetzte Land zurueckreisen und brauchte nicht das unangenehme Gefuehl zu haben, abends wieder in dieses Gefaengnis zurueckkehren zu muessen. Er war deshalb nicht von drohenden Begleitumstaenden beeindruckt, als er vor der Frage stand, den Vertrag mit der I.G. zu unterzeichnen. Er hatte nicht koerperliche Misshandlungen irgendwelcher Art oder irgendwelche Vorwuerfe zu erwarten. Er selbst hat vor diesem Gericht verneint, dass er fuer den Fall des Versagens der Unterschrift unter den Vertrag Nachteile zu befuerchten hatte. Seine Unterschrift als eine unfreiwillige zu bezeichnen, ist wohl nicht moeglich.

General Taylor bringt in seiner Anklagerede selbst zum Ausdruck, dass die allgemeinen Grundsaeetze des Strafrechts in diesem Verfahren zur Anwendung zu bringen sind. Im Besonderen betont er, dass den Angeklagten eine Schuld an diesem Geschehen nachzuweisen ist. Ich bitte daher das Hohe Gericht, mir kurz auf dieses Gebiet zu folgen und mir einige Ausfuehrungen zu gestatten, die meines Erachtens beweisen, dass den Angeklagten im allgemeinen und meinem Mandanten im besonderen bei den Vorgaengen, die sich im Herbst 1938 in der Tschechoslowakei abspielten, das Bewusstsein fehlen musste, dass damals es sich um eine verbrecherische Invasion handelte. Diese Gedanken betreffen sowohl die Vorwuerfe zu Punkt I der Anklage, soweit es diesen Zeitraum umfasst, als auch die Vorwuerfe zu Punkt II.

Die Anklagebehoerde hat ausgefuehrt, dass das IMT die Eingliederung des Sudetenlandes als einen verbrecherischen Akt bezeichnet hat und auf die Ordinance Nr. 7 hingewiesen, nach der Art.X gewisse Feststellungen des IMT bindend sind. An dem Urteil des IMT Kritik zu ueben, ist nicht meine Absicht. Ich gestatte mir lediglich auf einen Punkt hinzuweisen, der fuer die Frage der Mitwisserschaft gemass Art.X des Kontrollratgesetzes von Bedeutung ist. Das IMT konnte im Jahre 1946 ueber eine Entwicklung urteilen, die 8 Jahre zurueckgelegen hat. Das IMT hat aus den Vorgaengen der Jahre 1939 und der folgenden seine Schluesse ziehen koennen. Ihm hat Material vorge-

legen, das Rueckschlusse auf das Geschehen von 1938 gestattete. Ihm stand ausserdem Material zur Verfuegung aus dieser Zeit, das den Zeitgenossen nicht zuganglich war. Wenn dieses Hohe Gericht ueber die Schuld von Personen befinden will, die im Jahre 1938 in dieser oder jener Form in das Zeitgeschehen eingegriffen haben, so wird das Gericht nur alles das in Erwaegung stellen koennen, was der Mensch von damals wusste. Das IMT hat in seinem Urteil die Vorgaenge im Sudetenland als einen Teil des verbrecherischen Planes von Hitler bezeichnet, der die Eingliederung des Sudetenlandes als einen Schritt auf seinem verbrecherischen Wege zur Weltherrschaft ansah. Das Gericht hat nicht damit gesagt, dass die Vorgaenge der damaligen Zeit als einzelne verbrecherisch waren und das Zeichen des Verbrechens offen auf der Stirn tragen, also als solche erkannt werden konnten. Wie sich dem damals in Deutschland lebenden Menschen dieses Zeitgeschehen darbot, ist ein ausserordentlich wichtiges Moment fuer die Urteilsfindung dieses Gerichtes.

Ich darf deshalb darauf hinweisen, dass die sudetendeutsche Frage nicht ein Phantom war, das von Hitler konstruiert wurde, um seine Plaene zu verwirklichen. Dieses Problem bestand bereits seit dem Entstehen des tschechoslowakischen Staates. Dies ist nicht meine private Meinung, es ist auch nicht eine in den letzten zwei Jahren geausserte Meinung. Es ist die Ansicht, die am 21.9.1938 Lord Runciman gegenueber dem englischen Premier Chamberlain aeusserte. Lord Runciman war von der englischen Regierung zum Studium der Situation nach Prag entsandt worden. Er sagt:

"The problem of political, social and economic relations between the Teuton and Slav races in the area which is now called Czechoslovakia is one which has existed for many centuries with periods of acute struggle and periods of comparative peace. It is no new problem, and in its present stage there are at the same time new factors and also old factors which could have to be considered in any detailed review."



Der tschecho-slowakische Staat wurde im Anschluss an den Krieg 1914-18 gegruendet. Das Gebiet war vorher ein Teil der oesterreichisch-ungarischen Monarchie. Diese Schoepfung ist nicht nur von deutscher Seite, sondern auch von Historikern und Politikern aller Laender als eine unglueckliche Loesung bezeichnet worden, u.a. deshalb, weil in diesem Staatswesen nahezu die Haelfte der Bevaelkerung keine Tschechen, sondern anderer Nationalitaet waren.

Fuer die Deutschen war der Zustand der, dass in den Grenzgebieten vorwiegend Deutsche wohnten. In dem an Deutschland im Jahre 1938 abgetretenen Gebiet wohnten 1918 24 000 Tschechen, 1938 waren es 250 000. Die Deutschen zaehten ungefaehr 3 Millionen. Es ist eine historische Tatsache, dass diese Deutschen sich im Jahre 1919 an die Deutsch-Oesterreichische Republik anschliessen wollten, aber daran gehindert wurden. Die Unhaltbarkeit dieser Zustände, die tschechische Unduldsamkeit gegenueber den nationalen Minderheiten und der Versuch, das ganze Staatswesen zu einem tschechischen zu machen, wurde von den Kennern der Lage anerkannt, ehe Hitler bei den meisten ueberhaupt dem Namen nach bekannt war. Davon waren auch die polnischen, ungarischen und slowakischen Minderheiten betroffen. Ich erwaehne in diesem Zusammenhang die slowakische Freiheitsbewegung unter Fuehrung von Pater Hlinka, der nach USA floh und in Pittsburg unter den dortigen Einwohnern slowakischer Abstammung die Unabhaengigkeit der Slowaken proklamierte.

Es ist nicht jetzt meine Aufgabe, historische Tatsachen zu beweisen. Soweit es eines solchen in Einzelfaellen bedarf, werde ich es tun. Ich bitte lediglich das Hohe Gericht darauf hinzuweisen zu duerfen, dass in den letzten beiden Jahren nach dem deutschen Zusammenbruch Millionen Deutscher aus dem Tschechischen Staat ausgewiesen wurden und besonders den Besatzungsbehaerden der amerikanischen Zone Deutschlands viel Sorgen machten wegen der dichten Bevaelkerung dieser Zone. Ich glaube, es bedarf keines weiteren Hinweises fuer die Richtigkeit der von mir angedeuteten Tatsachen, als auf diese Voelkerwanderung hinzuweisen. Sie zeigt, dass tatsaechlich Millionen Deutscher in diesem Lande lebten.

Sie zeigt, dass ihr Bestreben ein verstaendliches war, sich an einen Staat zu wenden, in dem sie ihre Muttersprache sprechen konnten, in dem sie ihre Kinder in Schulen schicken konnten, in denen ihre Muttersprache nicht unterdrueckt, sondern gelehrt wurde.

So sah man in Deutschland, meine Herren Richter, im Jahre 1938 dieses Problem. So konnte es jeder Deutsche sehen. Wenn dann in einem gemeinsamen Staatsvertrag mit den Grossmaechten England und Frankreich - dem Muenchener Abkommen - eine Loesung dieser brennenden Frage gefunden wurde, dann konnte ein Mann wie z.B. mein Mandant, nicht annehmen, dass die Herren Chamberlain und Daladier einen Vertrag unterzeichneten, dessen Borsichtigung sie selbst nicht anerkannten. Er konnte nicht annehmen, dass die Besprechungen und Untersuchungen des britischen Abgesandten Lord Runciman Lug und Trug waren und dass er sich etwa bewusst vor den Wagen der Hitler'schen Kriegsvorbereitungsmassnahmen und Weltherrschaftsplaene stellen wollte. Das IMT sagt, Hitler habe das Muenchener Abkommen nicht halten wollen. Hitler hat damals aber diese Absicht nicht der Oeffentlichkeit bekannt gegeben. Das IMT hat auch nicht gesagt, dass dies damals bekannt war. Davon ist jetzt die Rede.

Sicher wird mancher Deutsche die Art und Weise, wie Hitler seine Plaene hinsichtlich des Sudetenlandes durchsetzte, nicht als besonders fein bezeichnet haben. Er wird aber nicht Lug und Trug vermutet haben, als er vom Muenchener Abkommen erfuhr. Er konnte auch nicht eine Unwahrhaftigkeit annehmen, als er in der Presse las, dass Chamberlain glaubte, "peace for our time" erreicht zu haben.

Als im Zuge dieser Ereignisse das Deutsche Reich auf Grund eines Staatsvertrages die Souveraenitaet ueber das Sudetenland als Bestandteil des Deutschen Reiches uebernommen hatte, hat ein deutsches Ministerium es fuer notwendig erachtet, fuer die sudetendeutschen Werke des Vereins fuer chemische und metallurgische Produktion in Prag einen Treuhaender einzusetzen. Es war bekannt, dass in diesem Gebiet grosse Unruhe herrschte und fuer die Werke Aussig und Falkenau infolge der Trennung von der Zentrale in Prag Gefahren bestanden. Dieser Treuhaender fuehrte die Bezeichnung "Kommissar". An der Berechtigung dieser staat-



lichen Massnahme Zweifel zu hegen, war keine Veranlassung fuer jemanden, der in Deutschland lebte, in einem Staatswesen, in dem der Staat weitgehend in die Wirtschaft einzugreifen gewohnt war. Darueber wird im Laufe dieses Verfahrens seitens der Verteidigung noch Material beizubringen sein. Dasselbe gilt dafuer, dass deutsche Staatsangehoerige sich den Anordnungen ihres Staates entsprechend fuer dieses Amt zur Verfuegung gestellt haben. Dies hat mein Mandant getan.

Ich behaupte weiter, dass mein Mandant dieses Amt in einer Weise gefuehrt hat, dass die Interessen des Eigentuemers nicht verletzt wurden. Die Anklage hat einige Tatumstaende behauptet, aus denen sich ergeben soll, dass mein Mandant sich nicht korrekt benommen hat. Darueber ist die Beweisaufnahme seitens der Anklage noch nicht abgeschlossen, so dass ich davon absehen muss, auf diesen Punkt jetzt naeher einzugehen.

Sinn meiner Ausfuehrungen ist, darzutun, dass sich hier Dinge abspielten, die sich damals -historisch gesehen- nicht als eine unberechtigte Entwicklung darstellten, dass sie weiterhin in einer aeusseren Form vor sich gingen, die nicht als verbrecherisch im Sinne der Anklage anzusehen war. Ich folgere daraus, dass prima facie keinem Beteiligten der Vorwurf des Wissens um verbrecherische Tatumstaende gemacht werden kann.

Mir bleibt zu diesem Punkte nur noch uebrig, kurz zu den Aeusserungen Stellung zu nehmen, die General Taylor am 27.8.47 gemacht hat. Er hat ausgefuehrt, dass die I.G. die Volkswirtschaft der besetzten Gebiete voellig vernichtet hat. Ich behaupte und werde den Beweis erbringen, dass im Sudetenland nach der Uebernahme dieses Gebietes durch das Deutsche Reich die Werke Aussig und Falkenau hinsichtlich ihres Bestandes und ihrer Produktion in keiner Weise gelitten haben, dass in diesem Gebiet keine Demontage betrieben wurde, dass vielmehr ein Aufschwung eingetreten ist. Ich weiss nicht, ob diese Bemerkung von General Taylor auch auf die damals nicht besetzte Tschechoslowakei sich bezieht. Dazu kann ich behaupten und werde Beweismittel erbringen, dass mit Hilfe der I.G. der Verein fuer chemische und metallurgische Pro-

duktion sein Betätigungsfeld erweitern konnte.

Damit, Hohes Gericht, bin ich am Ende meiner Ausführungen,  
die ich im Interesse meines Mandanten zu machen habe.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Carl Ludwig LAUTENSCHLAGER

German



*Defense  
Case 6*

Eröffnungsrede

für

Professor Dr. Carl Ludwig Lautenschläger

vor dem

Militärgerichtshof VI

Nürnberg

Von: Dr. Hans Pribilla  
Rechtsanwalt.



*Germ.*



Dr. Pribilla

Herr Präsident, meine Herren Richter !

Wenn in Ägypten eine Cholera-Epidemie ausbricht, so liest auch der Laie in allen Zeitungen, dass von Höchst mit dem Flugzeug Cholera-Impfstoffe nach Ägypten gesandt wird. Die ärztlichen Wissenschaftler in aller Welt aber nennen die Namen der Höchster-Farbwerke und der Behring-Werke mit Achtung, weil sie wissen, dass dort seit Jahrzehnten Männer am Werk sind, welche zu Gunsten der leidenden und kranken Menschheit unzählige wirksame Heilmittel geschaffen haben. Der oberste Leiter dieser Werke, Professor Lautenschläger, sitzt auf dieser Anklagebank. Gegenüber der einseitigen Darstellung der Anklage wird die Verteidigung zunächst darlegen, in welchem Geiste Professor Lautenschläger dort arbeitete, lebte und lehrte. Sie wird aufzeigen, dass er besonders in ärztlich-ethischer Beziehung an sich und seine Mitarbeiter so hohe Anforderungen stellte, dass die hier vorgelegten, nicht zusammengehörenden Ausschnitte seiner Gesamttätigkeit in einem anderen Lichte erscheinen. Es wird sich herausstellen, dass die Anklageerhebung gegen diesen Mann statt einer notwendigen Klarheit Verwirrung unter den Gutgesinnten angerichtet hat.

Klarheit zu bringen in die hier angeschnittenen Begriffe und behaupteten Zusammenhänge wird daher das erste Ziel der Verteidigung sein.

Was die Angriffe der Anklage gegen die ärztliche Ehre Professor Lautenschlägers anbelangt, so wird zunächst der Begriff der "klinischen Prüfung" zu klären sein. Sie erfolgte nach jahrzehntelang bestehenden ärztlichen Grundsätzen. Dabei erhält der prüfende Kliniker von dem Hersteller des neuen Heilmittels die genauen Unterlagen über alle wichtigen Eigenschaften der Anwendung, Dosierung und etwaiger Nebenwirkungen, sowie Auskünfte über die Ergebnisse des Tierversuchs und über die Wirkung und Verträglich-

lichkeit im Selbstversuch. Die Verantwortung hierfür trägt die Forschungsstätte. Für die weitere Anwendung der Präparate, die Auswahl der Kranken, die Änderung der vorgeschlagenen Dosierung usw. trägt der prüfende Arzt die Verantwortung. In einer solchen systematischen Prüfung ist kein Unrecht und keine inhumane Handlung zu erblicken. Wenn die Anklage von den etwa 50 Heilmitteln, die in den Jahren 1940 - 1945 von den Höchster Laboratorien entwickelt und zur Prüfung gegeben wurden, einige wenige herausgreift, so wird die Verteidigung zeigen, dass von Seiten Professor Lautenschlägers auch bei diesen wie bei den übrigen Heilmitteln nicht nach anderen als den strengsten ethischen und ärztlichen Grundsätzen verfahren wurde. Es wird ausserdem dargelegt werden, dass die Überlassung der Heilmittel an die Dienststelle Mrugowskys nicht aus dem Grunde erfolgte, weil dort KZ-Häftlinge zur Verfügung standen, sondern weil der Einsatz gerade dieser Heilmittel auf Grund von Seuchengefahren geboten war, die bei den von dieser Stelle betreuten Verbänden bestand.

Soweit die Anklage die Prüfungen der Behring-Werke und der Höchster Werke als eine zusammenhängende Folge zu zeigen versucht, muss demgegenüber klargestellt werden, dass es sich um getrennte Arbeitsgebiete handelte, Lautenschläger, der die Oberleitung über die Marburger Behring-Werke inne hatte, gab von seinem Höchster Dienstsitz aus nur die allgemeinen Richtlinien. Die leitenden Herren der Behring-Werke waren selbständig arbeitende anerkannte Wissenschaftler, deren Persönlichkeit die Gewähr gab, dass sie nicht von den Richtlinien ärztlicher Ethik abwichen. Diese Selbständigkeit der Behring-Werke brachte es mit sich, dass Professor Lautenschläger nicht über die Einzelheiten der klinischen Prüfungen unterrichtet wurde; denn die Behring-Werke gaben die Impfstoffe im Rahmen der Lautenschlägerschen Richtlinien selbständig zur klinischen Prüfung. Diese Prüfungspräparate waren keine neuentdeckten



Erzeugnisse, sondern bekannte und schon vorher erprobte Impfstoffe. - Das gegen die Behring-Werke vorgebrachte Beweismaterial der Anklage zeigt in keinem Punkte, dass diesen Werken die missbräuchliche Anwendung dieser Impfstoffe durch verbrecherische Ärzte bei der Auslieferung und Prüfung der Präparate zur Kenntnis kam. Die Beweisführung der Verteidigung wird dies durch Zeugen und Dokumente bestätigen.

Die Ausgabe von Prüfungspräparaten in dem ihm unmittelbar unterstellten Höchster Werk erfolgte durch einen seiner Untergebenen, für dessen sorgfältige Auswahl und hohe berufliche Qualifikation Professor Lautenschläger Sorge getragen hatte. Die Verteidigung wird nachweisen, dass in den von der Anklage vorgebrachten Fällen die Ausgabe der Präparate zur Prüfung genau wie in allen sonstigen Normal-Fällen erfolgte. Es kam dann durch den persönlichen Besuch Dr.Dings der Tag, an dem Professor Lautenschläger, wenn auch nicht die verbrecherische Natur dieses SS-Arztes, so doch seine fragwürdige ärztliche und charakterliche Eignung zum Bewusstsein kam. Es wird bewiesen werden, dass von diesem Augenblick ab Professor Lautenschläger die klare Anweisung gab, Ding als klinischen Prüfer auszuscheiden. Es wird gezeigt werden, dass diese Anordnung befolgt wurde.

Dabei wird die Beweisführung der Verteidigung Klarheit auch noch in einem anderen Punkte bringen, in dem bisher Verwirrung zu herrschen scheint. Die Einbeziehung Mrugowskys und seiner Dienststelle in den Kreis der zur klinischen Prüfung von Präparaten herangezogenen Ärzte ist in keiner Weise gleichzusetzen mit einer Einschaltung Dr.Dings. Mrugowsky war der oberste Hygieniker eines Wehrmachtsteiles und anderer Verbände, die speziell in den Seuchengebieten des Ostens eingesetzt waren. Es bestand daher kein Anlass, die Dienststelle Mrugowskys von

der Belieferung mit Präparaten auszuschalten, ganz abgesehen davon, dass dies nach dem Stand der Dinge in Deutschland völlig unmöglich gewesen wäre. Man kann daher auch nicht, wie die Anklage es tut, spätere Korrespondenz mit Mrugowsky zum Beweis für eine Fortsetzung der Arbeiten mit Ding anführen.

Was die Stellung Professor Lautenschlägers als Leiter der Maingauwerke anbetrifft, so beschränkte sich seine Stellung auf die einheitliche Ausrichtung dieser Werke in den allgemeinen Fragen von Produktion und Menschenführung durch entsprechende Richtlinien. Insgesamt war die Stellung des Leiters der Betriebsgemeinschaft so, dass er den angeschlossenen Werken zwar keine Weisungen oder Befehle erteilen konnte, dass er aber auf Grund seiner Stellung als unmittelbarer Leiter des grossen Höchster Werkes Einfluss auf diese Werke nahm. Im übrigen aber hatte jedes Werk seinen Betriebsführer, dem eine grosse Selbständigkeit gegeben war. Dieser entschied jeweils unter eigener Verantwortung und selbständig in allen Fragen, welche die Behandlung der Gefolgschaft dieses Werkes betrafen. Lautenschläger als Leiter der Betriebsgemeinschaft Main-gau hatte die Verpflichtung, darauf zu achten, dass die einzelnen Werke dabei im Rahmen seiner Richtlinien blieben, soweit nicht andere Anordnungen von behördlichen Stellen gegeben waren. Seine besondere Sorge galt der Gefolgschaft des Höchster Werkes. Zu seiner Unterstützung auf diesem Gebiet hatte Lautenschläger eine Gefolgschaftsabteilung, die die Unterbringung und Verpflegung, sowie die Lohnverhältnisse der gesamten Gefolgschaft einschliesslich Fremdarbeitern und Kriegsgefangenen zu besorgen hatte.

Was die grundsätzliche Frage der Beschäftigung von ausländischen Arbeitern anbetrifft, so war diese Frage von der Staatsführung entschieden wor-



den. Lautenschläger hatte auf diese Frage keinerlei Einfluss. Unter den in Deutschland herrschenden Verhältnissen hat er in den ihm unterstellten Werken Fremdarbeiter genauso beschäftigt, wie jeder andere deutsche Betrieb. Die Verteidigung wird sich in ihrer Beweisführung darauf beschränken, speziell für die Lautenschläger unterstellten Werke zu zeigen, dass die soziale Betreuung, die Verpflegung, Wohnung, ärztliche Fürsorge, der Einsatz und die Behandlung der Fremdarbeiter aufs beste und sorgsamste von der Werkeleitung angeordnet und von ihren Beauftragten durchgeführt wurde. Ich darf es dabei wohl als eine Einmaligkeit herausstellen, dass der Leiter dieses Chemie-Werkes von Weltruf zugleich als gütiger Arzt häufig seine Nachtstunden dazu benutzte, um seinen ausländischen Arbeitern im Lazarett die sorgsamste ärztliche Hilfe und Fürsorge persönlich zu geben.

Dieser Mann war selbstverständlich kein Nazi. Die Blickrichtung seiner gesamten Persönlichkeit war so ausschliesslich auf Heilen und Helfen eingestellt, dass er, wie zahlreiche Zeugnisse belegen werden, niemals einen Unterschied der Rasse, Religion oder Staatsangehörigkeit zu machen in der Lage war. Seine Stellung verdankte er ausschliesslich seiner sachlichen Qualifikation als Wissenschaftler. Niemals verloren die Machthaber des Dritten Reiches das Misstrauen gegen einen solchen Mann. Daran ändert auch der von der Anklage vorgebrachte Parteibeitritt oder die Ernennung zum Wehrwirtschaftsführer nicht das mindeste. Alles, was Lautenschläger zu Gunsten seiner ausländischen Arbeiter und zur Erhaltung der friedensmässigen Heilmittelproduktion tat, musste er unter den misstrauischen Augen der Partei und im Gegensatz zu ihr tun.

Die Beweisführung der Verteidigung wird zeigen, dass nichts dafür, sondern alles dagegen spricht,

Dr. Pribilla

- 6 -

dass dieser Mann an der Planung und Vorbereitung eines verbrecherischen Krieges beteiligt gewesen wäre. Die Aufstellung von Luftschutzplänen, die Fertigstellung von Arbeitsplänen für den Fall einer Mobilisierung, sowie die spätere Lieferung von Produkten, welche durch Weiterverarbeitung für Kriegszwecke verwendbar gemacht werden könnten, liegt im Rahmen der normalerweise in allen Ländern der Welt üblichen Landesverteidigung. An dem Charakter der Höchster Werke, als überwiegend mit der Herstellung von Heilmitteln und sonstigen Friedensprodukten befassten Unternehmungen, hat sich dadurch nichts geändert.

Die Beweisführung der Verteidigung wird mit der Vernehmung Professor Lautenschlägers als Zeuge in eigener Sache beginnen. Sie wird ferner zahlreiche Dokumente vorlegen und einige wenige wesentliche Zeugen zur Vernehmung bringen.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Wilhelm R. M A N N

German



*Defence  
Case 6*

OPENING  
STATEMENT

fuer den Angeklagten Wilhelm R. M a n n  
im Fall VI, Die Vereinigten Staaten von  
Amerika gegen Carl K r a u c h et.al.

gehalten von:  
Dr. Erich BERNDT  
Rechtsanwalt und Notar  
Verteidiger



*Germ.*



O P E N I N G S T A T E M E N T

Herr Praesident!

Hohes Gericht!

Wenn Sie nach Leverkusen kommen, sehen Sie neben dem Hauptgebäude der Verwaltung der IG einen Bau, der durch seine einfache, klare und zweckmaessige Linienfuehrung auffaellt. Er steht schmucklos da und traegt in der Mitte das weltbekannte BAYER-Kreuz. Mit dem Hauptverwaltungsgebäude ist er durch eine Bruecke verbunden. Dieser Bau ist der Sitz der BAYER-Verkaufsgemeinschaft. Leiter der Verkaufsgemeinschaft BAYER war frueher der Vater des Angeklagten M a n n, 1931 folgte mein Mandant seinem Vater in dieser Stellung. Wie der Bau, so war die Verkaufsgemeinschaft: einfach, klar und zweckmaessig. Von hier aus wurden die BAYER-Produkte gesandt ueber Deutschland, ueber Europa und ueber die ganze Welt, auch nach den Vereinigten Staaten. Der Absatz stieg von Jahr zu Jahr und die erfolgreiche Arbeit vieler Chemiker der I.G. garantierte die Guete der Mittel, durch welche die Leiden unzähliger Menschen gemildert, Krankheiten geheilt und viele Menschen vor Krankheiten und Leiden bewahrt wurden. Dies war die Aufgabe meines Mandanten M a n n .

Der BAYER-Bau steht fuer sich selbststaendig da, mit dem Hauptbau der Verwaltungsgebäude der I.G. durch eine Bruecke verbunden. So war auch die Stellung der Verkaufsgemeinschaft innerhalb des grossen Konzerns. Sie war selbststaendig, aber mit der I.G. verbunden. Dies werde ich Ihnen im einzelnen darlegen, da ohne dies die Stellung des Angeklagten M a n n und sein Handeln und Wirken nicht verstanden und nicht richtig beurteilt werden koennen.

Diesem Angeklagten wird nun als Erstes vorgeworfen, dass er allein oder mit seinen Vorstandskollegen oder mit anderen Personen sich der Vorbereitung, Planung und Fuehrung eines Angriffskrieges schuldig gemacht habe. Diese Vorwuerfe werden ausgerechnet gegen diesen Angeklagten erhoben, dessen Lebensarbeit der Bekaempfung des Todes und der Linderung der Leiden der Menschen diente. Ausgerechnet dieser Angeklagte soll der Teilnahme an der Entfesselung eines Krieges schuldig und fuer die Tuetung von Millionen Menschen mitverantwortlich sein. Ausgerechnet er, dessen Devise es war: Wunden zu heilen, nicht Wunden zu schlagen. Das und nichts anderes war der Ehrgeiz seines Lebens und Sie werden im Laufe meiner Beweisfuehrung erkennen, dass mein Mandant diesem seinem Leitspruch in den 25 Jahren seines Wirkens fuer BAYER treugeblieben ist und nichts mit irgendwelchen Verbrechen, wie sie hier Gegenstand der Anklage sind, gemein hatte.

Die rechtlichen Bedenken gegen Punkt I und V der Anklage sind in der am 17. Dezember ueberreichten Motion niedergelegt. Ich kann mir daher ersparen, auf sie einzugehen. Der Angeklagte ist aus den Gruenden dieser Motion vom Punkt I und V freizusprechen.

Dennoch bin ich gezwungen, auf einzelne bestimmte Vorwuerfe, die gegen Mann im Anklagepunkt I erhoben werden, kurz einzugehen:

Durch was versucht man, dem Angeklagten eine Schuld nachzuweisen?



- 3 -

Er soll zunaechst die Partei und ihre Gliederungen durch grosse Spenden unterstuetzt haben. Ich werde den Nachweis fuehren, dass diese Spenden der Verkaufsgemeinschaft Pharmazeutika und des Angeklagten M a n n fuer die NSDAP und deren Gliederungen aeusserst gering waren, wenn man sie auf die gesamte Zeit von 1933 bis 1945 umlegt oder sie mit den enormen Unterstuetzungen caritativer und sozialer Art der Verkaufsgemeinschaft BAYER vergleicht. Es wird sich zeigen, dass diese sogenannten politischen Spenden nicht im entferntesten als eine Unterstuetzung der Partei oder des Naziregimes gewertet werden koennen, und dass diese Zahlungen in keinem einzigen Fall zur Unterstuetzung irgendwelcher umstuerzlerischer Propaganda oder Umtriebe im Auslande erfolgten.

Der Angeklagte soll sich ferner nach den Worten General Taylors an der "Entfesselung eines heftigen und heimtueckischen Propaganda-Feldzuges, der selbst Goebbels zur Ehre gereicht haben wuerde" beteiligt haben. Wie steht es damit?

Die I.G. hatte selbstverstaendlich einen ausgezeichneten wirtschaftlichen Nachrichtendienst, und ebenso selbstverstaendlich betrieb sie eine umfangreiche wirtschaftliche Propaganda. Gerade BAYER, dessen Arzneimittel in der ganzen Welt gekauft werden, war auf dem Gebiete der kaufmaennischen Propaganda sehr aktiv. In den Jahren 1934 und besonders ab 1937 war der Absatz im Ausland durch Boykottmassnahmen gegen deutsche Waeren sehr erschwert. BAYER hat deshalb eine verstaerkte Werbung fuer ihre Produkte betreiben muessen und stellte hierbei unter Hinweis auf gewisse wissenschaftliche Leistungen

- 4 -

den deutschen Charakter der Erzeugnisse heraus. Hiermit wurde keinesfalls einer Naziregierung oder einem politischen System gehuldt, sondern es handelte sich lediglich um eine Werbung fuer die I.G. Erzeugnisse, die eben deutsche Produkte waren. So richtig gesehen, wird man schon das vorgelegte Beweismaterial der Anklage anders wuerdigen muessen, als es die Prozeution getan hat. Darueber hinaus werde ich aber durch Dokumente und Vernehmung von Zeugen beweisen, dass keineswegs in fremden Laendern Nazi-propaganda getrieben wurde. Interessant ist es, in diesem Zusammenhange darauf hinzuweisen, dass die Anklagebehoerde es als eine sehr starke Belastung herausstellt, dass eine BAYER-Vertretung dem brasilianischen Rundfunk auf dessen besonderen Wunsch Material fuer eine anti-kommunistische Propagandaktion ueberlassen hat. Es genuegt, das zu unterstreichen, ohne ein Wort hinzuzufuegen.

Die Behauptung der Anklage, die BAYER-Organisation habe in Uebersee durch Gewaehrung besonderer Zuschuesse oder durch die Entsendung von nazistischem Propagandamaterial politische Propaganda getrieben, ist nicht richtig. Ich werde nachweisen, dass das Propagandaministerium und die Propagandastellen der Gauleitung von der BAYER-Organisation dies zwar verlangten. Es gelang aber, durch das Verhalten des Angeklagten M a n n und seiner Mitarbeiter den weitaus groessten Teil dieser Forderungen abzulehnen.

Die Behauptung der Anklage in ihrer Eroeffnungsrede, BAYER habe " ihre Verkaufs- und Werbefprogramme sorgfaeltig den nationalsozialistischen Ideen angepasst" ist



- 5 -

durch die Beweisvorlage der Anklage nicht erwiesen. Im Gegenteil, ich werde beweisen, dass die Richtlinien des Propagandaministeriums in keiner Weise beachtet wurden, und dass gerade die Stellung meines Mandanten als Mitglied des Werberates der deutschen Wirtschaft ihm die Möglichkeit gegeben hat, diesem Draengen scharf und erfolgreich entgegenzutreten.

Auch die Beschuldigungen bezueglich der Entfernung juedischer Angestellter im Zusammenhang mit der Auslandsorganisation der NSDAP werde ich restlos widerlegen. Ich werde nachweisen, dass alle- beinahe 50 - juedischen Angestellten, die der Verkaufsgemeinschaft BAYER gehoerten und auf ausdrueckliche behoerdliche Anweisung ausscheiden mussten, ohne Ausnahme Abfindungen erhielten, die weit ueber die gesetzlichen Vorschriften hinausgingen, in mehreren Faellen bis zu drei Jahresgehaeltern. Niemand ist durch meinen Mandanten oder seine Mitarbeiter ruecksichtslos auf die Strasse gesetzt worden und niemanden ist jemals eine Hilfe versagt worden. Kein von BAYER entlassener sog. "nichtarischer" Angestellter wurde misshandelt und keiner ist umgekommen.

Es wird ferner behauptet, die BAYER-Vertretung habe sich auch mit Spionage befasst. In keinem einzigen Falle ist erwiesen, dass BAYER an irgendeiner Spionage beteiligt war. Auch die Vorwuerfe gegen einige BAYER-Angestellte in Suedamerika werde ich ohne Schwierigkeiten entkraefen. Ich werde ausdruecklich nachweisen, dass von BAYER in keiner Weise jemals Spionage getrieben oder geduldet wurde.

- 6 -

Als Beitrag zur wirtschaftlichen Staerkung Deutschlands nach 1933 wird meinem Mandanten die Foerderung des Exportes vorgeworfen, da er hierdurch bewusst zusaetzlich Devisen zum Zwecke der Aufruestung geschaffen habe. Der Angeklagte hat, wie sich leicht beweisen laesst, niemals ein Exportprogramm fuer die Regierung aufgestellt oder daran mitgearbeitet. Zu betonen ist, dass der Auslandsumsatz der I.G. von 406 Millionen im Jahre 1933 auf 428 Millionen im Jahre 1939, also nur um 5 %, gestiegen ist. Der Gedanke, durch den Export und die Schaffung von Devisen einen Beitrag zu leisten fuer einen durch die damaligen Machthaber im Stillen vorbereiteten Angriffskrieg, war und konnte ihm wie allen anderen deutschen Industriellen niemals kommen. Die angeführten Exportzahlen beweisen deutlich, dass es sich weniger um eine Foerderung des Exportes, als um eine Verteidigung der im Ausland in langen Jahren muhsam errungenen kaufmaennischen Position handelte. Wohl hat mein Mandant sich spaeter im Jahre 1940, also nach Kriegsbeginn, fuer einen besonders ausgearbeiteten BAYER-Exportplan eingesetzt. Dieser Plan verfolgte jedoch, wie ich beweisen werde, ausschliesslich den Zweck, das in vielen Teilen der Welt weitverzweigte BAYER-Geschaeft waehrend des Krieges ueberhaupt erhalten zu koennen.

Mit Mob-Plaenen, wie sie die Anklage als Vorbereitung fuer den Angriffskrieg ansieht, hatte die BAYER-Verkaufsgemeinschaft nichts zu tun. Sie hatte aber vorbereitende Uebersichten aufzustellen, welche den kaufmaennischen Personalbedarf im Kriegsfall aufzeigen sollten.



- 7 -

Diese Massnahmen lagen voellig im Rahmen der technisch-organisatorischen Massnahmen fuer den Fall einer Mobilmachung, wie dies auch fuer die eigentlichen Mobplaene zutraf.

Durch die Anklage ist weiter der Vorwurf erhoben worden, dass die BAYER-Verkaufsgemeinschaft gewisse Praeparate wie Atebrin und die Sulfonamide den USA vorenthalten habe, um deren Kriegspotential absichtlich zu schwachen. Irgendwelche Beweise fuer diese Behauptung hat die Anklage jedoch nicht angetreten. Sie waere hierzu auch kaum in der Lage. Ich werde den Nachweis fuehren, dass IG Farben auch in Bezug auf die Sulfonamide und Atebrin ihre vertraglichen Verpflichtungen gegenueber dem USA-Partner voll und ganz erfuehlt hat. Waehrend Professor Hoerlein das Verdienst hat, durch die rechtzeitige Ueberlassung der Verfahren und der wichtigsten Grundstoffe es dem USA-Vertragspartner ermoeeglicht zu haben, alle Massnahmen zur Atebrin-Herstellung voellig unabhaengig von der IG zu treffen, so hat zusaetzlich mein Mandant sich mit Erfolg bemueht, die Durchfuehrung unter schwierigsten Umstaenden sogar noch 1 1/2 Jahre nach dem europaeischen Kriegsausbruch zu Gunsten des amerikanischen Vertragspartners zu gewaehrleisten. Hierbei musste er den deutschen Behoerden gegenueber mit groesster Zurueckhaltung vorgehen. Tatsaechlich hat die volle Kenntnis des Herstellungsverfahrens von Atebrin den USA die Moeglichkeit gegeben, eine Riesenproduktion an Atebrin aufzuziehen und dadurch die Malaria in Ostasien zu bekaempfen. Nach amerikanischen Veroeffentlichungen ist diese erfolgreiche Bekaempfung der Malaria als aeusserst wertvoller Beitrag zu dem

- 8 -

Sieg Amerikas ueber Japan zu werten.

Mehr ist zu Punkt I nicht auszufuehren.

Unter Anklagepunkt II wird meinem Mandanten vorge-  
worfen, bei der Pluenderung Russlands und Frankreichs be-  
teiligt zu sein.

Bezueglich Russland soll er als Leiter des Russland-  
ausschusses bzw. des kaufmaennischen Ostausschusses an  
der Vorbereitung zur Auspluenderung Russlands teilgenommen  
haben. Ein Russlandausschuss hat ueberhaupt nicht bestanden.  
Die Aufgaben und die Taetigkeit des kaufmaennischen Ost-  
ausschusses hat die Anklage, wie ich beweisen werde, voll-  
kommen verkannt. Dieser Ostausschuss war zunaechst nichts  
anderes als eine gewisse Leitstelle von Informationen, die  
in Bezug auf die wirtschaftliche Lage Russlands bei dieser  
Stelle gesammelt wurden. Als ein solcher, ausschliesslich  
auf Informationen der Behoerden, namentlich des Ost-Mini-  
steriums, beruhender Lagebericht erweist sich das im Auf-  
trage meines Mandanten an den Vorstand versandte Dokument  
des Herrn de H a a s, auf das sich im wesentlichen die  
Anklage als Stuetze ihres Vorwurfs bezieht. Der kaufmaen-  
nische Ostausschuss war an keiner Gruendung einer Ostge-  
sellschaft beteiligt. Er hat lediglich die Gruendung der  
Riga-Kontor-Verkaufsgesellschaft befuerwortet, die in  
Deutschland hergestellte Produkte in den Ostgebieten, vor-  
nehmlich in den baltischen Laendern, verkaufte. Diese  
Gesellschaft hat keine Waren, Maschinen oder sonstige  
Gegenstaende aus dem Ostraum entfernt. Durch Manns Taetig-  
keit ist also Russland nichts, aber auch nichts entzogen  
worden. Im Gegenteil: ihm ist es zu verdanken, dass Russ-



- 9 -

land dringend notwendige Pharmazeutika und andere I.G.-Produkte erhalten hat. Dies alles werde ich durch Vorlage von Dokumenten oder durch Aussagen von Zeugen belegen.

Mein Mandant soll ferner an der Pluenderung Frankreichs beteiligt sein und zwar im Falle Rhone-Poulenc. F  r diese Transaktion uebernimmt M a n n die Verantwortung. Ich werde beweisen, dass die von meinem Mandanten mit Rhone-Poulenc abgeschlossenen Vertr  ge dem franzoesischen Partner ganz erhebliche Vorteile brachten. Ich werde in meiner Beweisfuehrung darlegen, dass die stattgefundenen Verhandlungen Abmachungen auf die Dauer von 50 Jahren auf der Grundlage vollstaendiger Gegenseitigkeit zur Folge hatten. Es wurden seitens der IG gegenueber dem franzoesischen Partner aeusserst bedeutende Zusagen gemacht, welche in der bisherigen Geschichte des BAYER-Hauses nur noch in einem einzigen Falle -- naemlich im Fall Winthrop in USA -- zugestanden wurden. Weit davon entfernt, eine Kontrolle der franzoesischen pharmazeutischen Industrie zu gewinnen, wie die Anklage dies behauptet, hat im Gegenteil die I.G. durch die von meinem Mandanten gefuehrten Verhandlungen die bisher von der IG in Frankreich unternommenen pharmazeutischen Gesch  fte durch den Theraplix-Vertrag unter die Kontrolle einer von Franzosen gefuehrten Gesellschaft gebracht. Die I.G. hat

auf die Fortsetzung ihrer seit Jahrzehnten erfolgreich betriebenen eigenen Gesch  ftsbetaetigung in Frankreich zu Gunsten der Firma Rhone-Poulenc verzichtet, und zwar in einem Zeitpunkt, in dem ein solcher Verzicht unter der damaligen Nazi-Herrschaft nur aeusserst schwer durchzufuehren war. Ich werde nachweisen, dass durch die

- 10 -

Vertraege mit Rhone-Poulenc die Souveraenitaet dieser franzoesischen Firma nicht beschraenkt wurde. Mein Mandant baut auf eine in Jahrzehnten durchgefuehrte Verstaendigungspolitik zwischen den beiden in ihren Laendern fuehrenden pharmazeutischen Firmen Rhone-Poulenc und IG auf. Er nahm jede in der Vergangenheit gebotene Gelegenheit wahr, um als aufrichtiger Freund Frankreichs die politischen Hemmungen durch eine weitreichende, wirtschaftliche Verstaendigung auszureumen. In diesem Geiste ist mein Mandant in dem Augenblick mit seinen Plaenen an den franzoesischen Partner herangetreten, in dem dieser sich durch Ereignisse, die ausserhalb der Macht meines Mandanten lagen, vor eine voellig neue Lage gestellt sah.

Es wird meine Aufgabe sein, dem Hohen Gericht den tatsaechlichen Ablauf der Geschehnisse und die vorteilhaften, aussergewoehnlichen Ergebnisse dieser Vertraege zugunsten des franzoesischen Partners darzulegen und zu beweisen. Dann werden Sie, meine Herren Richter, auch erkennen, dass die Gesinnung, welche meinen Mandanten bei diesen und auch bei seinen sonstigen geschaeftlichen Verhandlungen erfuellte, nicht jener Art war, wie es der Anklageschrift und namentlich dem Vortrag des Herrn Anklaegers bei Einfuehrung seiner Beweisdokumente entnommen werden koennte. Der von der Anklagebehoerde eingefuehrte Beschluss des franzoesischen Gerichts ueber die Nichtigkeit der mit Rhone-Poulenc abgeschlossenen Vertraege ist nicht praejudizisch. Wir kennen nicht die Rechtsvorschriften und die naeheren Umstaende, nach denen jene franzoesische Entscheidung gefaellt wurde. Keiner der Angeklagten war an dem franzoe-



- 11 -

sischen Verfahren beteiligt, keiner hatte rechtliches Gehör, und konnte Gegenbeweise einführen.

Die grundlegende Änderung der Gesamtlage mag heute Anlass sein, die hier zur Verhandlung stehenden Verträge aus anderen Aspekten zu sehen. Das kann dann aber nicht die Meinung von Männern sein, die mit der durch die damalige Lage ihres Landes gebotenen Zurückhaltung dennoch die Verantwortung für Abmachungen übernahmen, die ihrem Unternehmen und damit der französischen Wirtschaft grosse Vorteile brachten. Es war nicht die Haltung politischer Collaborateure; nicht "Collaboration", sondern "Cooperation" war die Parole für eine Verständigung auf sachlich vernünftiger Grundlage, welche den wirtschaftspolitischen Hintergrund zu diesen Abmachungen darstellte. Wie mein Mandant für sich in Anspruch nimmt, fair und korrekt das sachlich Gebotene unternommen zu haben, so ist er auch einerseits stets sich der politischen Integrität seiner Partner bewusst gewesen.

Als Leiter einer Verkaufsgemeinschaft hatte mein Mandant mit Angelegenheiten der Produktion nichts zu tun. Er ist daher auch mit den sich auf diesem Gebiet ergebenden besonderen Problemen niemals in Berührung gekommen, auch nicht mit den in der Kriegszeit erwachsenen Fragen, z.B. der Beschaffung von Arbeitskräften.

Der ungeheuerlichste Vorwurf, der meinem Mandanten gemacht wird, ist der, dass er an dem grössten Massenmord, den die Geschichte kennt, beteiligt gewesen sei. Er soll als Vorsitzender des Verwaltungsrates der DEGESCH von einer Vernichtung von Millionen Menschen durch Zyklon B Kenntnis erhalten und trotzdem hiergegen nichts getan haben. Diese Beschuldigung, die sich auch gegen einige

andere Angeklagte richtet, wurde am Schluss der gesamten Beweisaufnahme erhoben. Dieser Vorwurf und die Art seines Vorbringens kommt mir vor, wie wenn man am Schluss eines Feuerwerkes noch einmal eine Rakete hochsteigen lässt. Sie leuchtet schnell auf, erlischt nach kurzer Zeit -- aber nichts bleibt uebrig. So wird auch dieser Vorwurf in meinem Beweisverfahren in sich zusammenfallen. Dieser Vorwurf ist in diesem Saale vor der gesamten Welt gegen meinen Mandanten und andere Angeklagte erhoben worden. Ich muss darauf bestehen, dass ich in voller Oeffentlichkeit den Beweis fuehren kann, dass dieser Vorwurf durch nichts, aber auch durch nichts gerechtfertigt ist. Ich muss daher beantragen, dass die von mir hierfuer gestellten Zeugen nicht durch einen Commissioner, sondern vor diesem Hohen Gericht gehoert werden. Ich glaube, dies verlangt die Fairness und das einfachste Gerechtigkeitsgefuehl.

So wie ich diesen letzten, den schwersten Vorwurf gegen meinen Mandanten entkraefte werde, so werde ich auch-- davon bin ich ueberzeugt --, die anderen, gegen ihn erhobenen Beschuldigungen widerlegen. Wie General Taylor bei seiner Eröffnungsrede sagte, darf hier kein Akt der Rache vorgenommen werden, sondern die Handlungsweise der Angeklagten ist zu messen an Gesetzen und Geboten. Nach Gesetzen hat der Angeklagte Mann nichts Strafbares getan, nach Geboten nichts Unrechtes.



CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Fritz ter MEER

German



*Defense*  
*Case 6*

OPENING  
STATEMENT

fuer den Angeklagten Dr. Fritz t e r M e e r  
im Fall VI , die Vereinigten Staaten von  
Amerika gegen Carl K r a u c h et al.

gehalten von:  
Dr. Erich BERNDT  
Rechtsanwalt und Notar  
Verteidiger



*Seinn*



O P E N I N G   S T A T E M E N T .

Herr Praesident!

Hohes Gericht!

General Taylor hat in seiner Eroeffnungsrede gegen die Angeklagten die schwerwiegendsten Vorwuerfe erhoben. Er hat sie beschuldigt, der Verantwortung fuer den verheerendsten und katastrophalsten Krieg in der Geschichte der Menschheit, des Raubes und der Pluenderung im Grossen, der Massenversklavung und des Massenmordes". Das sind die schwersten Anschuldigungen, die jemals in der Geschichte gegen Industrielle als Angehoerige eines besiegten Staates erhoben wurden, gegen Maenner der Wirtschaft und der Wissenschaft, die kein Amt eines fuer die Staatsfuehrung verantwortlichen Ministers oder fuer die Staatsfuehrung verantwortlichen Parteifuehrers bekleideten. Welche abgrundtiefe Verworfenheit traut die Anklagebehoerde diesen Maennern zu, denselben Maennern, mit denen bis zum Kriegsausbruch Industrielle und Geschaeftsleute Amerikas und der uebrigen Welt im Geiste aufrichtigen gegenseitigen Vertrauens auf freundschaftlicher Basis zu beiderseitigem Nutzen und Frommen zusammengearbeitet haben. Will man dem Gericht und der Welt wirklich glauben machen, dies alles sei eine Farce gewesen und diese Industriellen haetten insgeheim Ueberfaelle, Raeubereien, Sklavereien, Massenmorde im Schilde gefuehrt und seien derartiger Schaendlichkeiten faehig?

Die Anklagebehoerde hat sich in emsiger Arbeit, weit ueber zwei Jahre lang, bemueht, eine Theorie aufzustellen, mit der sie hoffte, den Angeklagten -- ich darf

offen reden -- die Treppe zum Galgen zu bauen. Sie hat versucht zu beweisen, mit einer Unzahl von Dokumenten, aus Bergen von Akten des I.G. Farben- Unternehmens herausgesucht, meist aus den natuerlichen geschaeftlichen Zusammenhaengen herausgerissen, mit einer scheinbaren Systematik zusammengereiht und gemischt mit Auszuegen aus Hitlers "Mein Kampf", - diesem vielvertriebenen und wenig gelesenen Buche - , und die Schuld belegt mit der These des vermeintlichen allgemeinen Wissens, so hat die Prosecution beweisen wollen, dass diese Angeklagten schuldig seien beispielsweise an Hitlers Verbrechen, an Angriffskriegen, ja sogar an Vergasungen in Auschwitz.

Die Schwere der furchtbaren Beschuldigungen, die gegen die Angeklagten erhoben werden, legt der Verteidigung die Pflicht auf, mit groesster Genauigkeit und peinlichster Sorgfalt die wahren Zusammenhaenge und Tatsachen aufzuzeigen, um bei der Findung der Wahrheit zu einem gerechten Spruch dem Hohen Gericht dienlich zu sein. Die Erfuellung dieser Verpflichtung erfordert eine erhebliche Zeit, die der Verteidigung unbedingt zugestanden werden muss.

Meine Herren Richter! An diesem Platze hat als erster der Angeklagten mit Ihrer Erlaubnis Dr. Fritz t e r M e e r gestanden, um einen Sachverstaendigen im Kreuzverhoer zu befragen. Sie haben dabei sicher den Eindruck bekommen, dass er ein Mann ist, der sein Fach beherrscht, so beherrscht, dass er restlos in seinem Beruf aufging, und sich um nichts anderes gekuemmert hat, besonders nicht, wie ich beweisen werde, um Politik. Sie haben von ihm schon mehrere wichtige Affidavits gelesen, z.B. das ueber den Aufbau und die Entwicklung der I.G. (Document NI 5187, Exhibit 334, Band XII, engl. S. 126, deutsche S. 107).



- 3 -

In diesen Affidavits hat sich Dr. ter Meer ueber viele bedeutende Vorkommnisse geaussert. Mag er sich auch in der einen oder anderen kleinen Einzelheit geirrt haben, da er in der Haft ohne Unterlagen arbeiten musste ueber Ereignisse, die jahrelang zurueckliegen -- in keinem Falle wird man ihm eine bewusst unwahre Angabe nachweisen koennen. Er hat nicht noetig, falsche Aussagen zu machen. Selbst in Notlagen greift er nicht zu Luegen. Er ist nicht der Charakter dazu. Was er getan, ist nichts Unrechtes und erst recht nichts Strafbares. Deshalb tritt mein Mandant restlos fuer das, was er getan, ein. Ich kann daher einen grossen Teil meiner Beweisfuehrung durch ihn als guten Zeugen fuehren.

Die Anklage beschuldigt Dr. ter Meer in den Punkten 1, 2, 3 und 5.

Was zunaechst Punkt 5, den Vorwurf der Beteiligung an einer Verschwuerung zur Begehung von Kriegsverbrechen und Verbrechen gegen die Menschlichkeit angeht, so verweise ich auf die gestern eingereichte motion.

Zum Anklagenpunkt I halte ich das Vorbringen der prosecutionschon aus rechtlichen Gruenden nicht fuer ausreichend und habe daher gestern fuer meinen Mandanten den sich daraus ergebenden Antrag gestellt.

Trotzdem will ich vorsorglich Folgendes darlegen:

Mein Mandant bestreitet entschieden, von den in dem IMT-Urteil festgestellten Angriffsabsichten Hitlers und seiner engsten Vertrauten irgendetwas gewusst zu haben. Er weist die Annahme, er habe an diesen Plaenen teilgenommen, sie gebilligt und bewusst unterstuetzt mit aller Entschiedenheit zurueck. Seine Mitarbeit an der Entwicklung und dem Aufbau der I.G., insbesondere auf dem Gebiet des synthetischen

/- 4 -

Kautschuks, hat zur Erhoehung der Wirtschaftskraft und damit zwangslaeufig auch der Wehrfaehigkeit beigetragen. Dies allein ist aber nach der Feststellung des IMT-Urteils nicht strafbar. Ich werde Beweis dafuer vorlegen, dass Dr. ter Meer sich bei allen seinen Handlungen, als Leiter des TEA oder der Sparte II oder in einer seiner sonstigen beruflichen Stellungen stets nur von rein privatwirtschaftlichen Erwaegungen leiten liess. Nicht Freude am Zerstoeeren, sondern Freude am Aufbau war stets die Triebfeder seines Handelns.

Mein Mandant war bei seinen technischen und wirtschaftlichen Planungen nicht frei. Hier erscheint es notwendig, auf eine allgemeine Frage kurz einzugehen und zwar auf das Verhaeltnis von Staat und Wirtschaft, wie es sich in Deutschland in der Zeit bis zum Kriegsende entwickelt hatte. Die Anklage hat es so darzustellen versucht, als ob die IG, handelnd durch die angeklagten Vorstandsmitglieder, als gleichberechtigter und gleichmaechtiger Partner mit Hitler gemeinsame Sache gemacht habe. Diese Annahme beruht auf einer voelligen Verkennung der wirklichen Verhaeltnisse in Deutschland. Ich halte es daher fuer erforderlich, bei der Verteidigung darzutun, dass in Deutschland der Staat die primaere Rolle gegenueber der Wirtschaft gespielt und einen von Jahr zu Jahr steigenden Einfluss auf sie ausgeuebt hat. Ich werde nachweisen, dass dieser Einfluss sich in der Zeit nach der Uebnahme der Macht durch Hitler im Jahre 1933 so verstaerkte, dass man bald nicht einmal mehr von einer gelenkten, sondern nur noch von einer kommandierten



Wirtschaft sprechen konnte. Dieser staendig zunehmenden Bevormundung durch den Staat und seine Organe, zu denen sich noch die NSDAP mit allen ihren Dienststellen gesellte, konnte sich die Industrie bei dem raffiniert ausgekluegelten Diktatursystem Hitlers nicht entziehen. Auch einem Unternehmen von der Groesse und Bedeutung der I.G. Farben war das unmoeglich. Trotz innerem Widerstreben geriet auch sie immer mehr aus der Stellung eines selbstaendigen Unternehmens in den Zustand eines lediglich nach staatlichen Weisungen arbeitenden Betriebes. Durch Anordnungen und Auflagen griff der Staat immer mehr in die Betriebe ein und regelte, wie sich durch die Beweisfuehrung ergeben wird, zahlreiche Einzelheiten auf dem Gebiete der Produktion und des Arbeitseinsatzes.

Die Anklage hat dies alles ausser Acht gelassen. Sie hat es so darzustellen versucht, als habe es sich stets um von der IG selbst angeregte oder gewuenschte Massnahmen gehandelt, die ueberwiegend zur Verwirklichung eines gemeinsamen Planes der Vorbereitung und Fuehrung von Angriffskriegen ergriffen worden.

In diesem Zusammenhang wird von der Anklage unter anderem auf die Vermittlungsstelle W in Berlin verwiesen. Ich werde den Beweis erbringen, dass dieser Stelle keine so weitgehende Bedeutung zukam, wie es die Anklage annimmt, und dass sie mit der Planung eines Angriffskrieges ueberhaupt nichts zu tun hatte. In einer Zeit steigender behoerdlicher Einflussnahme auf die deutsche Privatindustrie war fuer einen Konzern von der Groesse der IG die Schaffung einer Vermittlungsstelle eine unbedingte Notwendigkeit, um den laufenden Kontakt

- 6 -

mit den verschiedenen Behoerden wahrzunehmen, fuer die Unterrichtung der zahlreichen Werke und Bueros zu sorgen und ein einheitliches Verhalten im Konzern gegenueber den behoerdlicherseits befohlenen Massnahmen herbeizufuehren. Dies betraf u.a. die Vorschriften fuer den Luftschutz, fuer Geheimhaltung und fuer die Aufstellung der sog. Mob-Plaene.

In der Anklage wird die Durchfuehrung der Synthese des Kautschuks als eine bewusste Vorbereitung des Angriffskrieges durch meinen Mandanten hingestellt. Ich werde den Beweis erbringen, dass dies voellig unrichtig ist. Sollte die I.G. ihre seit dem Jahre 1906 aufgenommenen, in der ganzen wissenschaftlichen Welt anerkannten Forschungsarbeiten ueber die Kautschuksynthese in ein Safe schliessen, nur weil ein Hitler in Deutschland ans Ruder kam? Alle Massnahmen der I.G. bei der Verwirklichung der Buna-Synthese beweisen ihre sorgsame, wirtschaftliche und technische Vorbereitung, ein massvolles, von privatwirtschaftlichen Erwaegungen getragenes Vorgehen, das schliesslich in den Jahren 1936 und 1938 zum Bau der beiden grossen Werke Schkopau und Huels fuehrte. Das waren keine hastig gebauten Fabriken fuer einen erwarteten Krieg, keine Bereitschaftsanlagen der Militaerbehoeerden - es waren vorbildlich angelegte Betriebe der deutschen chemischen Industrie, die nach dem Willen der I.G. und meines Mandanten unter normalen, friedlichen Verhaeltnissen Tausenden von Angestellten und Arbeitern eine sichere und glueckliche Zukunft gewaehren sollten.

Nun behauptet die Anklage, dass die I.G. gerade diese Technik der Buna-Erzeugung den USA vorenthielt, indem sie, im Einverstaendnis mit der Nazi-Regierung,



- 7 -

den sogenannten "Know-how" ihrem amerikanischen Vertragspartner, der Standard Oil, nicht mitteilte, um das Kriegspotential der USA zu schwächen. Ich werde den Beweis erbringen, dass diese Behauptung nicht den Tatsachen entspricht. Die ganz anders gelagerten Verhältnisse in den USA, das keine Devisennot kannte und den billigen und guten Naturkautschuk nach Bedarf einkaufen konnte, machten eine Anwendung des komplizierten deutschen Buna-Verfahrens, das vom Rohstoff Karbid ausging, von vornherein wenig aussichtsreich. Trotzdem wurden diesbezügliche Schritte in den USA unternommen, allerdings ohne praktisches Ergebnis. Die I.G. entwickelte daher etwa ab 1937 ein spezifisches Verfahren für die USA, das von dem Rohstoff Erdoel ausging. Mein Mandant hat im Sommerjahr 1938 dieses inzwischen einigermaßen fabrikationsreif gewordene Verfahren der Standard Oil angeboten und in vollem Einverständnis mit ihr einen Plan ausgearbeitet, um das Verfahren in einer Grossanlage zu verwirklichen. Dieses wurde zudem den Technikern der Standard Oil im deutschen Versuchsbetrieb in Oppau vorgeführt. Die gemeinsam mit der Standard Oil aufgestellten Kalkulationen ergaben für die USA einen dem Naturkautschukpreis angenäherten Einstandspreis. Die amerikanische Reifenindustrie wurde im Jahre 1939 durch einen ersten Fachmann der IG mit allen Einzelheiten der Herstellung von Buna-protektierten Reifen vertraut gemacht. Da brach der Krieg aus und machte die in greifbare Nähe gerückte Entwicklung zunichte. Das sind die Tatsachen, die ich beweisen werde.

-8-

- 8 -

Im Laufe des Beweisverfahrens der Verteidigung wird sich ergeben, dass die gesamte Friedensproduktion und Friedenskapazität der I.G. nicht fuer Zwecke eines Angriffskrieges geschaffen war, sondern auf friedenswirtschaftlichen Erwägungen beruhte. Die im Vergleich mit den Werken der IG verschwindend kleinen Bereitschaftsanlagen, die fuer den Fall eines Krieges gebaut waren, verdankten ausschliesslich staatlichen Anordnungen ihre Entstehung. Sie gehoerten nicht der IG, sondern dem Reich und wurden von ihm finanziert. Auch hierfuer wird der Beweis erbracht werden.

Hohes Gericht! Alle wirtschaftlichen und technischen Errungenschaften einer jeden Industrie dienen dem Fortschritt der Voelker und der Besserung der Lebenshaltung der Bewohner eines jeden Landes. Dass derartige Errungenschaften unter den Auswirkungen des modernen Krieges mit seiner Totalität des Einsatzes aller technischen Möglichkeiten gleichzeitig das Kriegspotential staerken, ist nun einmal eine unvermeidliche Konsequenz. Ein Beispiel moege dies erlautern: Als die bekannte amerikanische Firma Dupont in zehnjähriger Arbeit das Nylon entwickelte, war sie gewiss von rein friedensmaessigen Tendenzen bewegt, in diesem Falle von der Aufgabe, die Damenwelt mit besseren und haltbaren Seidenstruempfen zu versorgen. Nun -- Nylon wurde im Kriege die Fallschirmseide der amerikanischen und englischen Kriegsflieger. Darum wird niemand der Firma Dupont die Vorbereitung eines Angriffskrieges vorwerfen.

-9-



Was den Anklagepunkt II anlangt, so erscheinen mir schon die von der Anklage angeführten rechtlichen Gesichtspunkte nicht geeignet, den Vorwurf eines strafbaren Verhaltens meines Mandanten zu begründen. Hierauf werde ich in meinem Plaidoyer eingehen. Heute will ich nur auf einen Gedanken hinweisen und zwar auf die in vielen führenden, wirtschaftlichen Kreisen Europas seinerzeit an Gewicht zunehmende Konzeption eines gesamteuropäischen Wirtschaftsraumes, ein Gedanke, der heute noch, wenn auch in veränderter Form, von vielen Wirtschaftspolitikern, auch solchen Amerikas, vertreten wird. Unter diesem Gesichtspunkt war es das Ziel meines Mandanten, die Auslandsbetriebe möglichst zu erhalten (to maintain), sie zu betreiben und zu verbessern, sowohl im allgemein volkswirtschaftlichen Interesse wie auch zum Nutzen der in den Werken beschäftigten Angestellten und Arbeiter.

Mein Mandant war an Verhandlungen bei der Gruendung von Francolor beteiligt. Die Verteidigung wird nachweisen, dass die Gruendung der Francolor auf wirtschaftlich gesunden Erwägungen beruhte. Sie sollte eine beide Seiten befriedigende Zusammenarbeit auf dem Gebiete der Farbstoffe und organischen Erzeugnisse herbeiführen und jahrzehntelange Reibungen beseitigen. Die I.G. stellte für die vorgenannten Arbeitsgebiete den vollen Schatz ihrer technischen Erfahrungen zur Verfügung. Die für die Ueberlassung der französischen Beteiligungsrechte von der I.G. gewährten Vergütungen entsprachen voll dem Werte der uebernommenen Anlagen und Rechte.

- 10 -

Ich komme schliesslich zum Anklagepunkt III, der Sklavenarbeit. Zu diesem Punkt hat die Anklage die moralisch schwersten Vorwuerfe erhoben. Diese Beschuldigungen richten sich aber bei allen Angeklagten an die falsche Anschrift. Die Tatsache, dass in Werken der IG auslaendische Arbeiter und auch KZ-Haeftlinge gegen ihren Willen beschaeftigt waren, kann den Angeklagten nicht als Verbrechen angerechnet werden. Die Verteidigung wird den Nachweis erbringen, dass die IG hier lediglich die von den zustaeendigen Behoerden erlassenen, bindenden Vorschriften ueber Einstellung und Beschaeftigung von auslaendischen Arbeitern, Kriegsgefangenen und KZ-Haeftlingen ausfuehrte, wie es die ganze deutsche Industrie tun musste. Ein Widerstand gegen diese Anordnungen war voellig unmoeglich. Er waere sofort mit den drakonischsten Mitteln als Sabotage an der vom Staat verlangten Produktion im Keime erst-ickt worden, ohne jede Aussicht, an dem Einsatz dieser Arbeitskraefte irgendetwas zu aendern. Die Beweisfuehrung wird dies dartun.

Was Dr. ter Meer ueber die Beschaeftigung dienstverpflichteter Fremdarbeiter und den Einsatz von KZ-Haeftlingen wusste, das wird er Ihnen im Zeugenstand selbst bekunden. Ganz entschieden weist er den Vorwurf zurueck, er habe irgendwelche Misstaende gekannt.

- 11 -



- 11 -

Meine Herren Richter, Sie sind aus Amerika gekommen, um in Europa zu richten. Sie sind gekommen aus den Vereinigten Staaten, um ueber Deutsche ein Urteil zu faellen betreffend Ereignisse, die sich in Deutschland zugetragen haben. Diese Ihre Aufgabe ist schwer. Denn die ganzen Vorgaenge haben sich abgespielt zu einer Zeit, die nicht einmal wir Deutsche restlos verstehen und voellig aufklaeren koennen. Wir Verteidiger werden Ihnen bei Ihrer schweren Aufgabe nach Kraefte helfen. Wir tragen den stolzen Titel "Rechtsanwalt", d.h. wir sind Anaelte des Rechtes; mit aller Kraft werden wir dazu beitragen, dass in diesem Prozess, einem der groesten der Weltgeschichte und wohl dem groesten der Wirtschaftsgeschichte, nur Eines siegen wird, das R e c h t !

---

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Heinrich OSTER

German





*Defense  
Case 6*

OPENING STATEMENT

des

Rechtsanwalts Helmuth Henze

vor dem

Amerikanischen Militaertribunal VI, Nuernberg,

als Verteidiger

des

Dr. Heinrich OSTER.



*Genr 1*

Hohes Gericht,

als Verteidiger des Angeklagten Dr. Heinrich O S T E R  
stehe ich vor der Aufgabe, mich sowohl mit seiner persönlichen Tätigkeit im letzten eineinhalb Jahrzehnt zu befassen, da die Anklage einmal sich gegen ihn als Person richtet. Sie erstreckt sich auch gegen ihn als Mitglied des Vorstandes der T.G. und buerdet ihm eine Verantwortung fuer die gesamte geschaeftliche Tätigkeit der T.G. auf. Ich habe mich damit ebenso zu befassen wie mit dem weiteren Vorwurf, dass er zusammen mit den anderen Angeklagten einem gemeinsamen Plan nachgegangen ist, um die in der Anklageschrift niedergelegten Straftaten zu begehen, die sich gegen den Frieden richteten. Ich will mich in diesem Zeitpunkt nicht damit befassen, ob der Gedanke der Conspiracy eine weitere Ausdehnung gestattet, wie es die Anklage wuenscht. Ich beschraenke mich heute auf die Ausfuehrungen zu verweisen, die die Verteidigung in der Morgensitzung vom 29.Oktober dieses Jahres gemacht hat.

Nach Studium der umfangreichen Anklageschrift und des unermesslichen Beweismaterials von nahezu 1400 Dokumenten habe ich den Eindruck gewonnen, dass die Anklagebehoerde bewusst die Verantwortungsbereiche der einzelnen Angeklagten nicht zu klaeren wuenscht, um ihren geringen Anteil an der Aktivitaet der T.G. nicht aufzuzeigen. Ich werde deshalb versuchen, in dieses gewollte Dunkel etwas Licht und Klarheit zu bringen, da nach anerkannten Grundsuetzen des Strafrechts, die auch vom IMT ausgesprochen worden sind, der einzelne Angeklagte nur fuer das verantwortlich gemacht werden kann, was er tatsaechlich selbst getan hat oder woran er bewusst teilgenommen hat. Dem hat sich der Militargerichtshof II in dem Verfahren gegen Pohl u.a. angeschlossen. Er hat in seinem Urteil eindeutig sich auf diesen Standpunkt gestellt.

Ich werde, um mich nicht in's Uferlose zu verlieren, die Anklagedokumente waehrend meines Beweisvortrages nur insoweit in Erwaeung ziehen, als sie mit meinem Mandanten in einem vernuenftigen Zusammenhang stehen.



Wenn ich mich nun zuerst dem Anklagepunkt 7 zuwenden darf und auf das eingehe, was mein Mandant in diesem Zusammenhang getan hat oder getan haben soll, finde ich bei Durchsicht des Dokumentenmaterials nur sehr wenige Dokumente, aus denen sich ein eigenes Handeln meines Mandanten oder seiner Untergebenen ergibt. Diese wenigen Geschäftsvorfälle sind im Vergleich zu dem Umfang des gesamten Anklagematerials so unbedeutend, dass man zu dem Ergebnis kommen muss, dass sie in keiner Weise kausal sind fuer das unter Anklage gestellte Geschehen der letzten 15 Jahre, der Planung, Vorbereitung und Fuehrung des Angriffskrieges. Andernfalls wuerde es den Begriff der Kausalitaet in einer Weise ausdehnen, die jeder anerkannten Lehre der Kausalitaet widerspricht. Soweit es sich ueberhaupt um Vorgaenge handelt, die in eine Verbindung mit dem Kriege gebracht werden koennen, ergibt sich aus ihnen nicht notwendig ein Zusammenhang mit einem Angriffskrieg. In den wenigen Faellen, in denen sie mit einem Kriege in Zusammenhang gebracht werden koennen, ist es die entscheidende Frage, ob mein Mandant die behaupteten Geschäftsvorfälle aus Gruenden bearbeitete, die mit dem Kriege oder mit anderen Tatumstaenden in Zusammenhang standen. Dies ist dann eine Frage der inneren Einstellung meines Mandanten, auf die ich spaeter zurueckkommen werde.

Hinsichtlich der Verantwortlichkeit meines Mandanten als Vorstandsmitglied der I.G. fuer die Aktivitaet dieser Firma moechte ich einige tatsaechliche Feststellungen vorausschicken.

Mein Mandant war vom Jahre 1930 ab hauptamtlich Geschäftsfuehrer der Stickstoff-Syndikat G.m.b.H., einer selbstaendigen Firma, der die gesamten Stickstoffherzeuger Deutschlands den Vertrieb des von ihnen produzierten Stickstoffs uebertragen hatten. Das Syndikat war eine I.G.-fremde Gesellschaft, Dr. OSTER war einer der Geschäftsfuehrer dieses Unternehmens und bearbeitete verantwortlich den Verkauf des Duengestickstoffs. Der Verkauf des technischen Stickstoffs unterstand nicht ihm, sondern einem anderen der Geschäftsfuehrer, der ihm gleichgeordnet war. Dieses erhellt, dass sein Arbeitsgebiet mit der Aufrueistung, die das IMT als solche nicht fuer verbrecherisch erklaert hat,

nichts zu tun hatte. Es musste vielmehr im Gegensatz zu dem technischen Stickstoff stehen, da nach Lage der Dinge er besonders daran interessiert sein musste, möglichst viel Stickstoff der Landwirtschaft zuzuführen, da dies sein Geschäft war.

Mein Mandant war zu 90 % seiner Zeit damit beschäftigt, sich seiner Aufgaben im Stickstoff-Syndikat zu widmen, in dem er zudem noch der Betriebsführer war. Das Stickstoff-Syndikat beschäftigte ca. 1000 Personen und hatte einen Umsatz von 540 Millionen Reichsmark. Dem stelle ich gegenüber, dass zur Bewältigung seiner Aufgaben innerhalb der I.G. als deren Vorstandsmitglied, meinem Mandanten die zur I.G. gehörende Abteilung Badammon mit einer Angestelltenzahl von 6 Personen zur Verfügung stand.

Dass Dr. Oster als von der I.G. in das Syndikat delegierter Geschäftsführer dem Vorstand der I.G. angehörte, ist darauf zurückzuführen, dass das Stickstoffgeschäft für die I.G. in den Jahren vor 1930 eine erheblich grössere Bedeutung hatte als im vergangenen Jahrzehnt, welches die Anklage beleuchtet. Die Entwicklung der Stickstoffindustrie in Deutschland und in der übrigen Welt und die damit verbundene Preis- und Rentabilitätsentwicklung haben es mit sich gebracht, dass der Stickstoff erheblich an Bedeutung verlor gegenüber der gewaltigen neuen Entwicklung auf dem Gebiet der Kohle-Hydrierung, der Acetylenchemie und vieler anderer Gebiete der chemischen Industrie. Während der Umsatz des Stickstoffs im Jahre 1928 noch über 1/3 des Gesamtumsatzes der I.G. ausmachte, war 10 Jahre später das Bild schon so, dass der Stickstoffumsatz nur noch die Hälfte davon, nämlich ca. 15 % des I.G.-Umsatzes betrug.

Ich darf noch hinzufügen, dass die Stickstoffproduktion aller Stickstoffherzeuger Deutschlands vom Jahre 1929 bis zum Jahre 1939 um ca. 25 % gestiegen ist, wobei der I.G.-Anteil ständig sich abwärts entwickelte. Ich erwähne dies um klarzulegen, dass es sich bei dem Arbeitsgebiet meines Mandanten -- von der I.G. aus gesehen -- um ein Randgebiet geringerer Bedeutung handelte, sodass sich das Schwergewicht seiner Tätigkeit immer mehr auf das Stickstoff-Syndikat verlagerte. Es



Ist nicht meine Absicht oder der Wunsch meines Mandanten, seine Bedeutung und Verantwortung zu verkleinern. Ich will lediglich klarstellen, dass Dr. Oster im Wesentlichen auf einem Gebiet arbeitete, das ausserhalb des in der Anklageschrift gesteckten Rahmens liegt. Bezeichnend ist in diesem Zusammenhang noch, dass bei seiner Pensionierung im Jahre 1944 nicht beabsichtigt war, seinen Nachfolger im Syndikat zum Vorstandsmitglied der I.G. zu machen. Ueber diese von mir nur angedeuteten Tatsachen werde ich das Beweismaterial in meinem Beweisvortrag bringen.

Da die Stellung von Dr. Oster eine kaufmaennische war, lag nahe, dass er Mitglied des Kaufmaennischen Ausschusses wurde. Ich werde einmal den Beweis erbringen, dass dieser Ausschuss bei weitem nicht die Bedeutung hatte, die ihm die Anklage beimisst und dass mein Mandant auch im Rahmen dieses Ausschusses eine mehr nebensaechliche Figur war, da ihm die kaufmaennische I.G.-Organisation fehlte, die die anderen Leiter der Verkaufsgemeinschaften hatten, er ausserdem die dortigen Anregungen und Beschluesse nicht ohne weiteres in die andersgeartete Organisation des Stickstoff-Syndikats uebernehmen konnte. Das Syndikat war im uebrigen an etwaige Anordnungen der I.G. gegenueber nicht gebunden.

Nachdem ich kurz die Tatsachen hervorgehoben habe, die Klarheit ueber die Stellung meines Mandanten bringen, darf ich auf die Folgerungen, die ich daraus ziehe, zu sprechen kommen. Bei dem gewaltigen Umfang der I.G. und dem am Rande liegenden Gebiet meines Mandanten ist ersichtlich, dass meinem Mandanten viele Dinge aus der Aktivitaet der I.G. fremd bleiben mussten. Ich habe dies erwahnt zur Stuetzung meiner Behauptung, dass es in einer Aktiengesellschaft von einem derartigen Umfang unmoeglich ist, dass die einzelnen Vorstandsmitglieder verantwortlich fuer die gesamte Aktivitaet der Firma gemacht werden koennen. Man kann in diesem Zusammenhang die I.G. nicht als eine der ueblichen Aktiengesellschaften ansehen; man muss sich vergegenwaertigen, dass die I.G. auch nach dem Zusammenschluss aus mehreren Firmen eine dezentralisierte Firma geblieben ist, in dem jeder nur einen Ueber-

blick ueber sein Gebiet und verwandte Gebiete hatte. Dies trifft auf Dr. Oster besonders zu, da er keine I.G.-Abteilung, sondern eine selbststaendige Firma mit I.G.-Beteiligung leitete. Wollte man in einem derartigen Unternehmen jedem einzelnen Vorstandsmitglied die Pflicht aufbuerden, die gesamte Aktivitaet der Gesellschaft zu ueberpruefen, wuerde der Vorstand aus Personen bestehen, die von vielem etwas, aber nichts ganz kennen.

Die einem Vorstandsmitglied obliegende Verantwortung ist zudem eine des Aktienrechts, also des Zivilrechts und hat mit der Verantwortung des Strafrechts, die nur eine persoenliche sein kann, nichts zu tun. Wenn die Anklagebehoerde eine Gesamtverantwortung aller Vorstandsmitglieder feststellen will, wuerde dies hinauslaufen auf den Versuch, den Vorstand der I.G. als eine verbrecherische Organisation im Sinne des Statuts zu bezeichnen. Die Anklage hat dies bewusst nicht getan, weil damit ein Hinweis auf das Urteil des TMT gegeben worden waere, das auch in diesen Faellen eine persoenliche Schuld verlangt. Naecher darauf einzugehen wuerde bedeuten zu wiederholen, was bereits von meinen Kollegen gesagt worden ist. Wenn die Anklage den Wunsch hat, die Verantwortung saemtlicher Vorstandsmitglieder festzustellen, dann haette sie allen Einzelnen die Kenntnis aller Geschaeftsvorfaelle nachweisen muessen, was sie nicht getan hat.

Die von mir dargelegten Taetumstaende zeigen auch, dass von einem gemeinsamen Plan zur Planung, Vorbereitung und Durchfuehrung von Angriffskriegen nach Lage der Dinge nicht gesprochen werden kann. Soweit ich bisher sehen konnte, hat die Anklage in keiner Weise Beweismittel gebracht, dass hinsichtlich Dr. OSTER Momente vorliegen, die auf einen gemeinsamen Plan schliessen lassen, die behaupteten Verbrechen zu begehen. Die Tatsache, dass eine Mehrzahl von Personen in einer Firma an leitender Stelle gearbeitet haben, und dass diese Firma eine geschaeftliche Aktivitaet entwickelt hat, die teilweise fuer einen Krieg von Bedeutung werden konnte, bringt nicht den Beweis, dass alle Beteiligten in ihrem Bestreben bewusst und in Uebereinstimmung auf einen Krieg hienzielten, geschweige denn auf einen Angriffskrieg.



Zudem scheint es mir, dass die Anklage es sich recht leicht gemacht hat, als sie alle Vorstandsmitglieder der T.G. als Teilnehmer eines gemeinsamen Planes oder einer Verschwörung bezeichnete. Die von dem Vorstand eines Wirtschaftsunternehmens normalerweise verfolgten Ziele sind andere als die der Teilnehmer eines gemeinsamen Planes, einen Angriffskrieg vorzubereiten. Es erscheint unglaublich, dass alle Vorstandsmitglieder gleichzeitig Mitglieder einer Verschwörung sind, deren Ziele anderer Natur sind als die eines Wirtschaftsunternehmens. Ich bitte zu erwägen, dass die Berufung in die Leitung einer Gesellschaft bestimmte Kenntnisse, Leistungen und Erfahrungen voraussetzt und dass die Auswahl nach diesem Gesichtspunkten getroffen wurde. Dass gleichzeitig alle diese Menschen sich zur Verfolgung eines gemeinsamen anders gearteten Planes zusammengefunden haben, ist so unnatürlich, dass dies eines direkten Beweises bedurft hätte, der nicht angeboten wurde.

Ich weise darauf hin, dass der Vorstand der T.G. freigehalten werden konnte von Repräsentanten des Dritten Reiches. Warum geschah dies, wenn alle Vorstandsmitglieder sich einig waren, fuer einen Angriffskrieg zu wirken? In diesem Falle waere es doch sinnreich gewesen, einen Vertreter des Nazi-Systems in ihren Reihen als Verbindungsmann zu haben.

Wenn ich nun zu der Frage der persoenlichen Verantwortung meines Mandanten fuer sein eigenes Arbeitsgebiet etwas sagen darf, so ist es das, dass ich dem Gericht den Beweis erbringen werde, dass mein Mandant in der von ihm zu verantwortenden Geschäftspolitik als Richtschnur die Vorstaendigung hatte. Danach handelte er in seiner Arbeit mit den Partnern des Stickstoff-Syndikats; diesen Geist liess er auch in Verhandlungen mit den auslaendischen Partnern walten, mit denen gerade auf dem Stickstoffgebiet 10 Jahre lang vor Beginn des Krieges Uebereinstimmung bestand. Auch nach Ausbruch des Krieges liess sich Dr. Oster von diesen Gesichtspunkten leiten und hat insbesondere nach der Besetzung verschiedener Laender durch die deutschen Armeen alsbald wieder den Kontakt mit den dortigen Partnern aufgenommen, um ihn in der

vor dem Kriege geübten Weise fortzuführen. Sein Bestreben war es, auf dem Stickstoffgebiet an einer Planung mitzuarbeiten, die nach Beendigung des Krieges es erleichtern sollte, dort aufzubauen, wo das Band der Verständigung im Jahre 1939 zerschnitten wurde. Diese Haltung werden die von mir bei meinem Beweisvortrag anzubietenden Beweismittel zeigen. Sie beweist, dass mein Mandant im direkten Gegensatz zu den von der Anklage behaupteten Tatsachen stand und dass die Kenntnis eines auf den Angriffskrieg gerichteten Treibens nicht vorhanden war.

Die Anklagebehörde hat einen direkten Beweis der Schuld meines Mandanten nicht angeboten. Unabhaengig von den soeben erwahnten Tatsachen darf ich auch in diesem Zusammenhang auf das Urteil des IMT hinweisen, das verschiedene Personen von der Anklage der Planung, Vorbereitung und Durchfuehrung des Angriffskrieges freigesprochen hat, die der Leitung des Deutschen Reiches angehörten, also der Stelle, die die politische Willensbildung des Reiches darstellte, um ein Vielfaches naeher stand als mein Mandant Dr. OSTER. Es kann also nicht angenommen werden, dass Dr. OSTER bessere Kenntnis als diese Personen hatte.

Zu Punkt II der Anklageschrift erwahnt die Anklage in den vorgelegten Dokumenten meinen Mandanten lediglich hinsichtlich der nach Beginn des Russlandkrieges errichteten Stickstoff Ost G.m.b.H. <sup>I</sup> Ich werde den Nachweis erbringen koennen, dass diese auf Veranlassung des Reichs gegruendete Gesellschaft keinerlei Massnahmen ergriffen hat, die auch nur entfernt als Raub oder Pluenderung angesehen werden koennen.

Weiterhin wird in der Anklageschrift erwahnt, dass mein Mandant 1940 Mitglied des Styre der Norsk Hydro A/S, Oslo, des groessten Unternehmens auf chemischen Gebiet in Norwegen wurde. Die Anklage bringt diese Ernennung in Zusammenhang mit der Gruendung der norwegischen Firma Nordisk Lettmetall A/S, jener gemeinsam mit Norsk Hydro vorgenommenen Gruendung auf dem Leichtmetallgebiet, und sieht darin eine Teilnahme an Raub und Pluenderung. Inwieweit dort von Raub und Pluenderung gesprochen werden kann, darueber werden meine Kollegen Gegenbeweise erbringen. Ich behaupte lediglich und werde es beweisen, dass die Ernennung meines



Mandanten zum Styre-Mitglied dieser Gesellschaft, mit der er bereits jahrelang auf dem Stickstoffgebiet freundschaftlich zusammenarbeitete, nicht diese vermuteten Gruende hatte.

Zu Punkt III der Anklageschrift bemerke ich, dass Dr. OSTER als Kaufmann und Leiter eines kaufmaennischen Unternehmens mit Fragen des Arbeitseinsatzes nichts zu tun hatte. Ihm unterstanden keine Fabriken. Mit ihren Sorgen um Beschaffung der notwendigen Arbeitskraefte zur Erfuellung der vom Reich gegebenen Produktionsauflagen hatte Dr. OSTER sich nicht zu befassen. Ebenso wenig war er mit dem Fremdarbeiterprogramm befasst. Da dieses in der Hand des Staates lag und von diesem gelenkt wurde, stand er ihm doppelt fern. Ich habe daher kein Beweismaterial in tatsaechlicher Hinsicht vorzulegen.

Von Punkt IV der Anklage ist Dr. OSTER nicht betroffen; ueber Punkt V habe ich bereits gesprochen, sodass ich damit meine Ausfuehrungen beschliesse.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Hermann SCHMITZ

German





*Defense*  
*Case 6*

OPENING STATEMENT

=====

fuer

HERMANN SCHLITZ

vor dem

Amerikanischen Militaergerichtshof VI

Fall VI

im Prozess gegen

BRAUER und andere

von

Dr. Rudolf F I A

Rechtsanwalt

Nuerberg, im Dezember 1947



*Germ.*

Hohes Gericht!

Sogenannte Kriegsverbrecherprozesse haben schon einmal stattgefunden, und zwar nach dem ersten Weltkrieg vor dem deutschen Reichsgericht. An diesen Prozessen hat ein englischer Anwalt namens Claud K u l l i u s als Beobachter teilgenommen. Er hat 1921 hierueber eine Schrift verfasst mit dem Titel: "The Leipzig Trials". Ich zitiere aus dieser Schrift:

"The War Criminals' Trials were demanded by an angry public rather than by statesmen or the fighting services. Had the public opinion of 1919 had its way, the trials might have presented a grim spectacle of which future generations would be ashamed. But, thanks to the statesmen and the lawyers, a public yearning for revenge was converted into a real demonstration of the majesty of right and the power of law."

auf deutsch:

"Die Kriegsverbrecherprozesse wurden mehr durch eine erregte öffentliche Meinung, als durch die Staatsmänner und die fechtende Truppe gefordert. Hätte man der öffentlichen Meinung des Jahres 1919 ihren Lauf gelassen, hätten diese Verfahren ein uebles Schauspiel dargeboten, dessen sich kuenftige Generationen geschaemt haetten. Aber dank der Staatsmaenner und der Juristen wurde der oeffentliche Schrei nach Rache verwandelt in eine echte Demonstration der Majestaet des Rechtes und der Macht des Gesetzes."

Heute ist noch grossere Gefahr, dass Leidenschaft und Vorurteil den wahrheit und Gerechtigkeit suchenden Blick des Richters zu truben suchen. Zu Schreckliches ist geschehen! Zu sehr ist der Menschheit wurde verletzt worden! Zu dem natuerlichen und berechtigten Aufschrei verletzter Menschenwuerde gesellen sich aber dessen haessliche Begleiter, als da sind: Der Verleumder, welcher im truben Wasser des aufgeregten Wogenmeeres der Leidenschaft zu fischen sucht, der politisch, strafrechtlich oder moralisch Belastete, welcher seine Schuld abzuwaschen und nach



Suendenboecken sucht, der politische Konjunkturist, dem es nicht um Wahrheit und Gerechtigkeit, nicht um der Menschheit- und seines eigenen Landes Wohl geht, sondern dem es nur um sein politisches Ziel geht, gleichgültig mit welchen Mitteln er es erreichen zu können glaubt; dies auch dann, wenn diese Mittel das hohe Rechtsgut der Ehre seiner Mitmenschen verletzt. Zu diesen hässlichen Begleitern gesellt sich des ferneren auch eine der stärksten und gefährlichsten Mächte, nämlich das Vorurteil. All diese, den Lichte der Wahrheit abholden Mächte, sind Quellen der sogenannten öffentlichen Meinung. Sie ist nicht nur nicht unfehlbar, sondern unter Umstünden ein hoch gefährlicher und unbarmherziger Diktator. Dieser Diktator kann nicht nur eine unabhängige Rechtspflege vernichten, sondern, wie wir erfahren, ganze Demokratien. Das demokratische Deutschland der Republik von Weimar ist durch den Stimmzettel eines i. höchsten Sinne demokratischen Wahlsystems vernichtet worden, denn bis zum 30. Januar 1933 waren die Wahlen zweifellos frei. Eine irre geleitete öffentliche Meinung ist also ein unheilbringender Diktator und es ist eine der vornehmsten, auch staatspolitisch bedeutsamsten Aufgaben einer unabhängigen Justiz, diese Brunnenvergiftung zu beseitigen, um damit ueber die Wahrheit den Pfad zur Gerechtigkeit zu finden.

Sie, meine Herren Richter, haben nicht nur im grössten Wirtschaftsprozess aller Zeiten zu urteilen, sondern auch in einer Zeit, wo das Charakterbild der Angeklagten von der Parteien Gunst und Hass verwirrt ist. Man kann deshalb nur aus tiefstem Herzen beten, dass der Himmel Ihren Urteilspruch segnen moege.

In diesem Prozess verteidige ich unter den angeklagten Vorstandsmitgliedern der IG deren Primus inter pares, den Vorsitz des Vorstandes der IG, S c h m i t z .

wie von meinem Vorredner angekündigt, haben wir Verteidiger durch Themenverteilung den Stoff der Verteidigung auf federführende Referate verteilt, ohne dem Einzelnen das Recht zu nehmen, seiner Pflicht gemäss dieser Federführung eigenes im Laufe der Beweisaufnahme hinzuzufügen. Vorweg moechte ich zu der Aufgabe eines sogenannten Gegenbeweises, also der Beweisführung der Verteidigung bemerken, dass dieser Gegenbeweis logisch eine zum mindesten schluessige Beweisführung der Anklage voraussetzt. Diese schluessige Beweisführung fuer den Belastungsbeweis ist meines Erachtens von der Anklage zu keinem Anklagepunkte erbracht. Was die Anklage im einzelnen vielleicht bewiesen hat, wenn auch nur im Sinne eines prima facie-Beweises, rechtfertigt nicht die Behauptung eines strafrechtlich relevanten schuldhaften Handelns der Angeklagten. Ueber die Beweisführung der Anklage muss man sagen: multa non multum. Die Anklage ist deshalb schon im jetzigen Stadium im Sinne eines Spruchs auf nichtschuldig abweisungsreif. Der sogenannte Gegenbeweis der Verteidigung stoesst deshalb in die Leere einer nichtschluessig substantiierten Beweisführung der Anklage. Ein Gegenbeweis der Verteidigung ist deshalb, wenn man sein Wesen rein begrifflich abstrakt betrachtet, nicht nur ueberfluessig, sondern grundsuetzlich auch nicht moeglich. Die Verteidigung tritt diesen Beweis nur an, um Diligenz zu praestieren.

wenn man das Londoner Statut und das Kontrollratsgesetz Nr.10 juristisch richtig auslegt, ist von der Anklage kein Beweis da-



fuer erbracht, dass das Handeln oder Unterlassen meines Klienten mit an sich strafbaren Tatbeständen im Kausalzusammenhang steht und diese von ihm schuldhaft verursacht sind. Schuldhaftes Verursachen bedeutet, dass sein Handeln oder Unterlassen eine Rechtspflicht oder auch eine moralische Pflicht verletzte, durch deren Erfuellung er in der Lage war, Unrecht zu verhindern oder zu beseitigen.

Zum Nachweis, insbesondere der Tatsache, dass mein Klient nicht in der Lage war, Unrecht zu verhueten, geschaeige denn, dass er solches selbst verursachte, spielt die Tatsache eine letztendlich entscheidende Rolle, dass die politische und soziale Struktur des Dritten Reiches, namentlich die in ihm herrschende schrankenlose Despotie eines einzelnen und dessen engster Betrapen, ihm keine Moeglichkeit bot, das zu tun, was die Anklage von mir fordert. Diese Tatsache ist der im Dritten Reich herrschende und sich von Jahr zu Jahr steigernde Terror. Sowohl in meiner federfuehrenden Beweisfuehrung als auch in eventuellen Nachfragen an Zeugen werde ich versuchen, diesen Terror dem Gericht plastisch erkennbar nachzuweisen.

Des weiteren wird, und zwar im Rahmen der Arbeits- und Themenverteilung zwischen den einzelnen Verteidigern, meine Hauptaufgabe darin bestehen, den Beweis dafuer anzutreten, dass diese Anklage aufgebaut ist auf einer falschen historischen Auffassung ueber die grundsatzliche weltanschauliche und damit auch politische Einstellung derjenigen sozialen und Berufsschicht, welcher der angeklagte Schmitz angehört, also der deutschen Industrie,

R

des deutschen Grossunternehmertums.

General Taylor hat in seinen Opening Statements in den beiden bisherigen Industrieprozessen folgendes ausgeführt. Im Flick-Prozess: Ich zitiere:

- "AWPP, FLICK, THIESSEN und einige andere zogen die Industriellen auf ihre Seite; BECK, von FIPSCH, KORDONTELT und andere militärische Musterelemente beherrschten die militärische Clique. Auf diese Gruppen gestützt schwang Hitler sich zur Macht empor und im Besitz der Macht schritt er zur Eroberung."
- "Hitler war zwar der Brennpunkt der höchsten Autorität, aber Hitler hat seine Macht von der Unterstützung anderer einflussreicher Männer und Gruppen abgeleitet, die mit seinen grundsätzlichen Ideen und Zielen übereinstimmten." Ende des Zitats.

Es ist klar, dass diese Ausführungen des Generals auf die Industrie abzielten. Ich zitiere den General weiter:

- "Der Kaufmann und der Offizier, wenn sie nicht juedisch waren, lebten gut und gediehen unter Hitler". "Die Diktatur des Dritten Reiches stützte sich auf die unheilige Dreieinigkeit des Nationalsozialismus, Militarismus und Wirtschaftsimperialismus."
- "Die kleine Gruppe der Kohlen- und Stahlkönige hatte grosse Macht in den Händen, um das deutsche Wirtschaftsgefüge zu formen, die deutsche Politik und deutsche Lebensführung zu beeinflussen. Wir werden in diesem und in anderen Prozessen sehen, wie sie von dieser Macht Gebrauch machten." Ende des Zitats.

Die gleichen Gedankengänge kehrten in dem Opening Statement des Generals in diesem Prozesse wieder. Ich zitiere:

- "Es wird die Beschuldigung erhoben, dass die Angeklagten gemeinsam mit anderen Industriellen eine wichtige Rolle bei der Errichtung der Diktatur des Dritten Reiches spielten."
- "Das Ziel der Angeklagten war Eroberung." "Der Ursprung der Verbrechen, deren die Angeklagten beschuldigt sind, kann viele Jahre zurückverfolgt werden, aber fuer den vorliegenden Zweck kann ihr Beginn in das Jahr 1932 verlegt werden, als Hitler sich zu einer politischen Hauptfigur im Reich gemacht hatte, jedoch vor seiner Machter-



greifung und dem Kommen des Dritten Reiches. Es wird die Beschuldigung erhoben, dass die Angeklagten gemeinsam mit andern Industriellen eine wichtige Rolle bei der Errichtung der Diktatur des Dritten Reiches spielten! "Wenn wir die Beschuldigung eines Buendnisses zwischen den Angeklagten und Hitler und der Nazipartei erheben usf." " Ohne diese Zusammenarbeit", naemlich die Zusammenarbeit mit der Industrie, " haetten Hitler und seine Parteigenossen niemals die Macht in Deutschland ergreifen und festigen koennen und das Dritte Reich haette nie gewagt, die Welt in einen "ring zu stuerzen". "Die Hingebung der IG an die Nationalsozialistische Partei und das Dritte Reich waren weiterhin unerschuetterlich." Ende des Zitats und viele andere Stellen mehr.

Die Auffassung, welche aus diesen und aehnlichen Ausfuehrungen zutage tritt, ist falsch; sie ist allerdings verstaendlich in der Person eines Mannes, der nicht im Dritten Reich gelebt hat und seine Meinung, sicherlich im ehrlichsten Bemuehen um Wahrheit, teils auf ununterrichtete vorurteilsbelastete Emigrantenanskuenfte stuetzen muss - wobei ich die moralische Berechtigung eines solchen Vorurteils konzedierte. Ein charakterlich und geistig ungemein hochstehender Klient von mir, naemlich der fruehere Chefredakteur des "Berliner Tageblatts", Theodor W o l f , welchen ich in den ersten Tagen seiner Emigration in der Schweiz besuchte, erklaerte mir damals, dass er zwar in der Emigration schriftstellern, aber nie die politischen Verhaeltnisse in Deutschland zum Gegenstand seiner literarischen Betaetigung machen werde, "weil ein Emigrant naturgemuess und gottgewollt der am schlechtesten qualifizierte Beurteiler der heimischen Verhaeltnisse sei". Dieses Wort hat damals einen tiefen Eindruck auf mich gemacht und die Erfahrung hat ihm vollkommen recht gegeben. Des ferneren muss der General seine Auffassung stuetzen auf eine recht boeswillige Erkennt-

nisquelle, naemlich auf einen nicht unerheblichen Teil der deutschen Publizistik nach dem Zusammenbruch, in welchem zum mindesten ein ungeheures Ressentiment das Grundthema bildet.

Zu dieser irrigen Auffassung bemerkte ich in meinem Schlussplädoyer im ersten Industrieprozess, naemlich im Flickprozess, und ich moechte dies nicht nur wiederholen, sondern in meiner Beweisfuehrung auch unter Beweis stellen:

"Hitler verdankt seinen Aufstieg der Tatsache, dass die Gewerkschaften, welche noch im Jahre 20 beim Kapp-Putsch diese von ihnen als reaktionärer gehaltene Bewegung durch Generalstreik zu Boden schlugen, 1933 durch die Jahre der Arbeitslosigkeit zermuerbt waren, weil sie keine Massen, welche ihren Glauben an die Gewerkschaften verloren hatten, mehr hinter sich hatten. 6 Millionen Arbeitslose lagen zum Teil seit Jahren auf der Strasse und die Gewerkschaften, welche ihnen seit Jahrzehnten den sozialistischen Himmel versprochen hatten, waren unfähig, ihnen zu helfen. Da kam aus den Reihen des Proletariats der "Heiland", der ihnen Rettung versprach. Rettung aus der Misere und alle diese Massen des kleinen Mittelstandes und des Proletariats folgten diesem Rattenfänger. Wo kommen denn sonst die Stimmziffern bei den "Wahlen her?"

Ich erinnere an dieser Stelle meines Plädoyers im Flickprozess an die Aussage Krueger, welcher im Kreuzverhoer plastisch schilderte, wie erschrocken er war, als er ploetzlich in den Quartieren des sogenannten kleinen Mittelstandes und der Arbeiterschaft nach der Machtergreifung tausende von Hakenkreuzfahnen aneinandergereiht erblickte. Und so fuhr ich im Flick-Plädoyer fort:

"Die Massen haben Hitler getragen, nicht die Elite, um in diesem Zusammenhang diesen soziologisch technischen Ausdruck zu gebrauchen, bei dessen Wahl Sie mir keine snobistischen oder irgendwie sozial ueberheblichen Motive unterlegen wollen. Es ist nun einmal ein terminus technicus. Die Elite aber ist machtlos ohne die Massen. Es wird heute die Fiktion aufgestellt, als haette die gesamte fruhere Wählerschaft der Sozialdemokratie und der Kommunisten in der Opposition gegen den Nationalsozialismus gestanden. Wie schief, wie un-



wahr diese Behauptung ist, ergibt sich einfach aus den Stimmziffern der Reichstagswahlen. All' diese Tatsachen sind durch ein Gewirr von Legenden entstellt, Legenden, die heute schon als unanfechtbare Tatsachen gelten und Grundlage von sogenannten Weltanschauungen geworden sind.\*

Ihre hehe Aufgabe, meine Herren Richter, im IG-Prozess ist es, die Tatsachen von diesen Legenden zu befreien. Ich erhebe nicht den geringsten Vorwurf gegen diese betörrten Massen, ich kaempfe nur dagegen, dass man ungerecht Surdenbocke sucht. Diese von mir bekämpfte Auffassung, welche die Anklage sich zu eigen macht, ist aber nach meiner festen Ueberzeugung nicht nur der entscheidende Grund fuer den Entschluss der Anklage, diese Anklagen gegen Gross-industrielle zu erheben, sondern auch ein Haupthindernis fuer die Erkenntnis der Wahrheit und damit auch ein Hauptgrund fuer die Nichtschuld dieser industriellen Forscher und dieser industriellen Kaufleute auf der Anklagebank.

Um diesen fundamentalen historischen Irrtum zu beseitigen, ist es notwendig, vor dem Gericht Beweis dafuer anzutreten, dass keine Rede davon sein kann, dass die fuehrenden Maenner der Industrie als solcher - Ausnahmen bestaetigen nur die Regel - und insbesondere die fuehrenden Maenner der IG den Prototyp des Nazis darstellten, dass von einem Buendnis zwischen ihnen und Hitler mit dem Ziele, Hitler und seine braune Schar an die Macht zu bringen, an dieser Macht dann zu partizipieren und mit dieser Macht in der weiteren Folge erst die Masse des deutschen Volkes und dann die uebrige Welt imperialistisch durch Gewalt und gegebenenfalls durch Krieg zu unterjochen und zu versklaven, keine Rede sein kann. An der Erheblichkeit dieses Beweisthemas nicht nur zu Anklagepunkt 1, sondern fasst zu

allen Vorwürfen der Anklage, dürfte ein Zweifel nicht bestehen.  
Es ist vielmehr ein Basisthema.

Nun brachte es die Natur dieser Nürnberger Verfahren mit sich, dass die Verteidigung oft und wohl zumist nur mit Zeugen arbeiten konnte, welche bis zu einem gewissen Grade Zeuge in eigener Sache waren, weil sie "mit dazu gehörten". Ich werde mich bemühen, - hoffentlich gelingt mir dies technisch - Zeugen zu bringen, welche durch die Nazis ihres Berufes und Wirkens verlustig gingen und welche früher oder später im Dritten Reich von den Nazis verfolgt wurden.

Ich hoffe, meine Herren Richter, Ihnen durch diese Beweisführung zu zeigen, dass hier nur von Tragik und nicht von Schuld, geschweige von einer strafrechtlichen Schuld, die Rede sein kann. Wer in einem solchen Staate lebte, wie es das Dritte Reich war, und noch dazu an prominenter Stelle seines Wirtschaftslebens, kann nicht vermeiden, dass die Schatten des bösen Geschehens auch seine Lebenssphäre berühren. Niemand hat dies besser erkannt als derjenige Mann, dessen Autorität von allen auf der christlichen Ideologie beruhenden Verfassungen und Gemeinschaften schlechthin anerkannt wird, nämlich der heilige Augustinus, wenn er in seinem Buche "Civitas dei" folgendes sagte:

"Was macht es aus, unter welcher Regierung ein sterblicher Mensch lebt, solange jene, die regieren, die Regierten nicht zu Gottlosen und Ungerechten zwingen."

Nun, die Angeklagten haben im Dritten Reich unter einer Regierung



gelebt, welche die Legierten auch zu Gottlosem zwangen. Dass dies der vorhin erwähnte tragische Schatten war und damit die Tragik der Angeklagten aber nicht ihre strafrechtliche oder moralische Schuld, hoffe ich dem Gericht durch diese mir von der Gesamtverteidigung anvertraute Beweisführung darzutun.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Christian SCHNEIDER

German





*Defense  
Case 6*

O P E N I N G   S T A T E M E N T  
-----

des Dr. Hellmuth D I X

vor dem

Amerikanischen Militärgerichtshof VI

in Case VI :

Karl K r a u c h . und andere

fuhr

Christian S C H N E I D E R

.....

Nuernberg, Dezember 1947

.....



*Geim.*

Meine Herren Richter ,

Im Rahmen der Gesamtverteidigung werde ich federfuehrend die Fremdarbeiterfrage, d.h. die sich hieraus zu Punkt III der Anklageschrift ergebenden grundsatzlichen Rechtsprobleme behandeln - die der Kriegsgefangenen und Haeflinge werden sonst im Rahmen der Gesamtverteidigung ercoertert -.

Die Vertretung der Anklage haelt in dem von mir behandelten Fragenkomplex saemtliche Angeklagten fuer schuldig. Sie nimmt zur Begruendung ihrer Auffassung in grossem Umfang auf den Inhalt des Urteils des Internationalen Militeergerichtshofs Bezug. Dieses Urteil aber betraf Personen, die bei der Ein- und Durchfuehrung des Zwangsarbeiterprogramms die politisch fuehrenden und richtungsweisenden waren. Es hat deshalb vor allem auch die Methoden behandelt, durch die die Arbeitskraefte fuer die deutsche Kriegswirtschaft von oeffentlichen Organen erfasst und sichergestellt wurden. Die Beschaeftigung an der Arbeitsstelle selbst und die Lebensverhaeltnisse hierbei werden im Rahmen des Gesamtprogramms vom IMT nur anhand von Misstaenden ercoertert, die im wesentlichen wieder auf behoerdliche Anordnung oder deren Auswirkungen im Rahmen des Kriegsgeschehens zurueckzufuehren und deshalb den fuehrend verantwortlichen jenes Prozesses zuzurechnen waren. Die besonderen rechtlichen und tatsaechlichen Bedingungen, unter denen die deutsche Wirtschaft und insbesondere der einzelne private Industrielle zwangslaeufig in den Lauf der Dinge eingeschaltet waren, sind im einzelnen weder im Urteil des Internationalen Militeergerichtshofes noch von der Anklagebehoerde dieses Prozesses naeher ercoertert worden.

Diese Bedingungen aufzuzeigen wird also auch in diesem Prozess Aufgabe der Verteidigung sein. Die moderne technische Kriegfuehrung zwang Deutschland allmaehlich mehr und mehr, seine Gesamtarbeitskraft der Ruestung und den sonstigen Notwendigkeiten dieses Kampfes dienstbar zu machen. Auch die anderen



europaischen Laender erlebten eine sehnliche Entwicklung. Grundsatzliche gesetzliche Bestimmungen hierfuer werde ich dem Gericht vorlegen. Der Gedanke der Arbeitspflicht in und nach dem Kriege setzte sich auch in den nicht totalitaeren Staaten mehr und mehr durch. Mit der Dauer des Krieges und den wachsenden Anspruechen der Truppe genuegten die verfuegbaren Arbeitskraefte Deutschlands in keiner Weise den Beduerfnissen von Industrie und Landwirtschaft. Die Regierung entschloss sich deshalb, diesen Bedarf aus der Bevoelkerung der durch deutsche Truppen besetzten oder aus anderen europaischen Laendern zu decken. Dies geschah in der Hauptsache meist im Wege der Freiwilligkeit und spaeter durch die sogenannte Dienstverpflichtung. Durch die Vorlage von Dokumenten werde ich nachweisen, in welchen Formen das alles geschah. In allen Einzelheiten wurde ueberall die Erfassung und Behandlung der Fremdarbeiter durch gesetzliche und behoerdliche Anordnungen oder Staatsvertraege geregelt. Auch die Fuersorge fuer Gesundheit und Freizeit wurde hierbei nicht vergessen.

Angesichts dieses umfassenden und bis in Kleinste behoerdlich geregelten Gesamtprogramms kam der normale deutsche Unternehmer in allen Teilen der Wirtschaft garnicht auf den Gedanken, in der Beschaeftigung der Fremdarbeiter, wenn er im Rahmen der einschlaegigen Bestimmungen ordnungsgemaess und gut fuer sie sorgte, etwas Rechtswidriges oder gar Verbrecherisches oder Unmenschliches zu sehen. Hunderttausende, ja Millionen von Landwirten, Handwerkern und Industriellen waren in der gleichen Lage. Durch die immer einschneidenderen Auswirkungen der modernen technischen Kriegfuehrung zu Wasser, zu Land und in der Luft wurde ja auch das Leben ihres Volkes in allen Teilen durch staatlichen Zwang geregelt und gesteuert. Selbst aber wenn einer dieser deutschen Geschaeftsleute, was wohl kaum vorgekommen ist und im nationalsozialistischen Deutschland waehrend des Krieges wegen der Sekretierung und Verlagerung vieler Bibliotheken recht schwierig war, die Rechtmassigkeit dieser Vorgaenge anhand der ueberkommenen deutschen voelker- und oeffentlichrechtlichen Grundsaeetze nachgeprueft haette, so haette

er mit diesen die oben geschilderte allgemeine Auffassung nicht widerlegen koennen. Auch das und seine historischen Gruende werde ich im Rahmen der Beweisvorlage kurz behandeln. Vielleicht wuerde man dem entgegenhalten, dass ein Studium auslaendischen Voelkerrechts diesen Deutschen eines anderen belehrt haette. Es ist aber nicht nur im nationalsozialistischen Deutschland, sondern in jedem Staat unvorstellbar, dass ein Privatmann bewaffnet mit einem Voelkerrechtslehrbuch des Wissenschaftlers eines feindlichen Staates seine Regierung davon zu ueberzeugen sucht, das, was sie in einem umfangreichen Gesetzes- und Vertragswerk geschaffen hat, sei mit den Regeln des Voelkerrechts nicht vereinbar.

Damit komme ich auf den letzten und wesentlichsten Gesichtspunkt, den ich in meiner Beweisvorlage behandeln werde und der eine Strafbarkeit der Beschaeftigung von Fremdarbeitern in der Person des einzelnen privaten Industriellen oder Landwirts ausschliesst. Es war faktisch, insbesondere fuer den Leiter eines grossen industriellen oder landwirtschaftlichen Betriebes, dessen Erzeugung - gleichgueltig welcher Art - in diesem modernen sogenannten "totalen" Wirtschaftskrieg immer von kriegsentscheidender Bedeutung war, keinesfalls moeglich, sich diesem Fremdarbeiterprogramm mit Erfolg entgegenzusetzen. Schon der Widerspruch als solcher haette voraussichtlich zur Vernichtung der buergerlichen Existenz des Betreffenden und zum Verlust seiner Freiheit im Konzentrationslager und vielleicht seines Lebens gefuehrt. Gerade das Urteil des Internationalen Militaergerichtshofs hat festgestellt, dass nach der Festigung der Macht des nationalsozialistischen Regimes schon vor dem Krieg jede Kritik streng verboten und jedes freie Urteil voellig unmoeglich waren. Darueber hinaus haette sein grosses Werk ohne die ihm zugewiesenen Fremdarbeiter seine Produktionsauflagen niemals erfuellen koennen und sein Leiter waere in solchen Faellen aufgrund der von mir ebenfalls vorzulegenden ausserordentlich scharfen Bestimmungen fuer Sabotage und Landesverrat abgeurteilt worden. An dem Einsatz der Fremdarbeiter aber haette dies nichts



geändert. Dagegen wäre nicht nur die Existenz dieses Mannes und die seiner Familie vernichtet worden, sondern nach den psychologischen Gesetzen der Diktaturen und ihrer Reaktion auf Widerstände auch die seines Lebenskreises auf das höchste gefährdet worden. Ein solcher zumindest zweckloser Widerstand eines privaten Geschäftsmannes war deshalb nicht nur faktisch unmöglich, sondern sittlich im Sinne des Urteils des Internationalen Militärtribunals auch nicht zu verlangen. Deshalb kann die Verantwortlichkeit für ein solches politisches Programm wie die Zwangsarbeit nur die politisch führenden Personen treffen, wie es im Urteil des Internationalen Militärtribunals geschehen ist. Sie allein konnten sich auch während eines Krieges die Kenntnis der rechtlichen und tatsächlichen Zusammenhänge verschaffen, die zur Entscheidung einer solchen Frage erforderlich ist. Für einen Privatmann war dies durch die strenge Kontrolle und starke Beeinflussung aller Nachrichten durch Gesetz, Terror und Propaganda im nationalsozialistischen Deutschland unmöglich. Den Hunderttausenden deutscher Industrieller und Landwirte blieb deshalb nichts anderes übrig, als für die ihnen zugewiesenen Fremdarbeiter im Rahmen des Zulässigen und noch möglichst darüber hinaus nach ihren Kräften zu sorgen. Dass Dr. Schneider und die anderen Angeklagten, nachdem sie sich anfanglich der Einführung der Fremdarbeit nur sehr widerstrebend gefügt hatten, alles getan haben, um das Los der ihnen durch die Gesetze und Behörden anvertrauten Ausländer möglichst gut zu gestalten, werden meine Herren Mitverteidiger und ich im weiteren Verlauf der Beweisvorlage für die einzelnen Werke nachweisen. Ich werde weiter beweisen, dass sie hierbei nur im Geiste der aussergewöhnlichen sozialen Leistungen gehandelt haben, der als Tradition von der IG seit langem allgemein bekannt ist.

Ich bin überzeugt, dass für das Hohe Gericht und die Öffentlichkeit diese Beweise und die Erforschung der Wahrheit die beste Antwort sind auf den Vorwurf und die Behauptung der Anklage, die IG habe im Rahmen des Fremdarbeiterprogramms in gigantischer Masse an Versklavung und Massenmord teilgenommen. Ich halte es deshalb auch für richtig, es dem Hohen Gericht und mir

zu ersparen, auf diese starken Worte der Anklage in sehnlicher Weise zu erwidern.

Nach Abschluss der Beweisvorlage zu diesem grundsätzlichen Problem des Anklagepunkts III werde ich mich der persönlichen Verantwortung des Angeklagten Schneider und den damit zusammenhängenden Fragen zuwenden. Ich werde darlegen, dass der Angeklagte ein sozialer und gerechter Werksleiter und ein erfolgreicher Erfinder und Techniker war, allem Politischen fernstand, den Frieden liebte und niemals beabsichtigte, durch seine Arbeit oder in anderer Weise einen militärischen Angriff vorzubereiten oder bei einer solchen Vorbereitung mitzuhelfen. Wie meine Herren Mitverteidiger, insbesondere mein rechtsgelehrter Freund von Metzler, bereits so nachdrücklich und überzeugend dargelegt haben, hat die Anklage bisher ihre gegenteilige Behauptung in keiner Weise belegt oder bewiesen. Das Gericht hat jedoch hierzu noch nicht Stellung genommen. Soweit dies hiernach notwendig ist, werde ich - getreu meiner Verteidigerpflicht - beweisen, dass die technischen Aufgaben und Leistungen im Arbeitsbereich des Angeklagten Schneider im Frieden friedlichen Zwecken dienten und keinesfalls der Vorbereitung eines Angriffskrieges. Weder hieraus noch aus anderen Quellen konnte Schneider die Angriffsabsichten der politischen Führung Deutschlands erkennen. Im Kriege selbst hat er, wie die Verteidigung zeigen wird, wie Millionen anderer Deutscher auch nur den Anordnungen seiner Regierung und seinen Pflichten als Staatsbürger genügt, womit eine Verantwortlichkeit Schneiders in allen Teilen des Anklagepunktes I entfällt.

Zu Punkt II der Anklage werde ich voraussichtlich allein den Angeklagten selbst kurz als Zeugen hören, da die insoweit von der Anklage behandelten Vorgänge in keiner Weise in seinen Aufgabenbereich fielen. Er selbst hat sich auf die Frage des Gerichtes auch zu diesem Punkt bereits als nichtschuldig erklärt. Ich werde in meinem Schlussplaidoyer anhand der Beweise der Anklage und der Gesamtverteidigung die Richtigkeit dieser seiner Antwort begründen.



Schliesslich werde ich nochmals auf den Anklagepunkt III zurueckkommen und im Rahmen meiner Beweisvorlage an Hand der gesetzlichen Bestimmungen und der tatsächlichen Uebung Inhalt und Begrenzung der Verantwortlichkeiten Schneiders insbesondere als Betriebsfuhrer von Leuna und Hauptbetriebsfuhrer der IG darlegen und beweisen. Es wird sich daraus ergeben, dass Schneider im Rahmen dieser Verantwortlichkeiten in allem, was er zu behandeln hatte oder ihm sonst bekannt wurde, das nach den gesetzlichen Vorschriften Moegliche und mehr getan hat, um seinen rechtlichen und menschlichen Pflichten zu genuegen. Hieraus folgt, dass ihm auch kein Vorwurf im Sinne des Anklagepunkts III gemacht werden kann.

Waehrend ich zu Punkt V der Anklage persoenlich voraussichtlich nicht Stellung nehmen, sondern mich auf den Vortrag meiner Herren Mitverteidiger beziehen werde, beabsichtige ich noch Unterlagen dafuer vorzulegen, dass der Angeklagte Schneider nicht Mitglied der SS und damit einer Verbrecherischen Organisation im Sinne des Internationalen Militeergerichtshofes war.

Fuer die Laufbahn des Angeklagten Schneider waren nicht allein berufliche Leistungen, sondern vor allem charakterliche Eigenschaften, insbesondere starker Gerechtigkeitsinn und grosses Verantwortungsbewusstsein bestimmend. Nach meiner Ueberzeugung muss und wird Gleiches fuer den Ausgang dieses Verfahrens im Sinne der Verteidigung gelten.

CASE 6 - TRIBUNAL VI

DEFENSE

Opening Statement for Dr. Georg von SCHNITZLER

German





*Defense  
Case 6*

OPENING STATEMENT

---

des Dr. Walter S i e m e r s ,  
Rechtsanwalt zu Hamburg.

vor dem

Amerikanischen Militärgerichtshof VI

in Case VI:

Carl K r a u c h und andere

fuer

Dr. Georg von S C H N I T Z L E R .

-----  
Nurnberg, Dezember 1947.



*Georg*

Hörs Gericht,

1. Nachdem ich im ersten grossen Nuernberger Wirtschaftsprozess, im Flick-Prozess, zusammen mit 5 anderen Verteidigern die Arbeit beendet habe - wenn ich auch den Erfolg, der sich aus dem bevorstehenden Urteil ergeben wird, noch nicht kenne -, versuche ich nunmehr, in dem zweiten Wirtschaftsprozesse gegen den grosssten deutschen Wirtschaftskonzern, gegen J.G.-Farben, die Verteidigung der deutschen Wirtschaft und der deutschen Industrie im Rahmen der Vertretung des Angeklagten Dr. Georg von Schnitzler fortzusetzen. Ich habe von Anfang an die These vertreten, dass diese Wirtschaftsprozesse nicht gegen die einzelnen Angeklagten, sondern au fends gegen die ganze deutsche Wirtschaft gefuehrt werden, General Taylor hat im Krupp-Prozess jetzt in den letzten Tagen meiner These widersprechen und betont, dass die Angeklagten rein personlich verantwortlich gemacht werden und nicht als Symbole oder Vertreter der gesamten Industrie. Trotzdem halte ich meine Behauptung, welche die Gefahren fuer die ganze deutsche Wirtschaft zeigt, aufrecht, und zwar einfach deshalb, weil der Inhalt der Anklage in ihren wesentlichen Punkten und die vielfachen Behauptungen der Anklagebehaerde dies zweifelsfrei ergeben, naemlich den Kampf gegen die gesamte Wirtschaft und gegen den deutschen Kapitalismus ueberhaupt. Die Erkenntnis dieser Tendenz ist keine ueberfluessige theoretische Streitfrage; denn der Angriff gegen die Wirtschaft trifft nicht nur den Kapitalismus und die Gressindustriellen, sondern trifft in gleicher Weise Tausende von mittleren und kleinen Industriellen, Tausende von Angestellten, Meistern und Arbeitern.

Die Anfrage des Labour-Abgeordneten Rhys Davies vom 23. Mai 1947 im britischen Unterhaus ist daher kein Zufall, sondern eine notwendige Folge, der seine Regierung fragte, ob Betriebsleiter, Verarbeiter, Ingenieure und Handwerker - die im Sinne der Anklage der nationalsozialistischen Kriegfuehrung ebenso halfen wie die Industriellen -



ebenfalls vor Gericht gestellt wurden, nachdem die amerikanischen Behörden führende deutsche Industrielle aus dem gleichen Grunde vor Gericht gestellt hätten.

Diese Anfrage des Labour-Abgeordneten zeigt bereits die Richtigkeit meiner These. Das Gleiche ergibt sich aber auch aus dem eigenen Vorbringen der Anklagebehörde, die selbst immer wieder von dem Bündnis der gesamten Industrie mit Hitler und dem Militarismus spricht und dieses angebliche Bündnis nicht auf bestimmte Angeklagte beschränkt, sondern in diesem Zusammenhang zahllose andere deutsche Konzerne und Firmen genannt hat, die nicht angeklagt sind<sup>1)</sup>. So der Vortrag der Anklage hinsichtlich des Punktes I, nämlich des Angriffskrieges; noch viel deutlicher ergibt es sich bei dem Anklagepunkt II, der sog. Plünderung, und dem Anklagepunkt III, der sog. Sklavenarbeit. Denn hier ergibt sich die Tatsache, dass eine unübersehbare Anzahl Deutscher angegriffen wird, bereits aus der Art des Vorwurfes, ohne dass die Anklage es expressis verbis zu sagen braucht.

Unter der "Plünderung" versteht die Anklage nicht nur die durch Artikel 47 der Haager Landkriegsordnung verbotene effektive Plünderung, also den Raub von Gegenständen, sondern bereits die Ausnutzung der Wirtschaftskraft des besetzten Gebietes, ja sogar die Inbetriebnahme einer Fabrik im besetzten Gebiet, die ausschliesslich oder gleichzeitig im Interesse des besetzten Gebietes liegt. Wenn aber eine so weit gefasste Plünderung ein Kriegsverbrechen ist, so sind dieses Kriegsverbrechens nicht nur einzelne Angeklagte schuldig, sondern darüber hinaus zahllose andere Industrielle und - was wichtig ist - nicht nur die Industriellen als Unternehmer, sondern als Haupttäter und Mittäter im Sinne des Kontrollratsgesetzes eine unübersehbare Anzahl von Ange-

---

1) siehe z.B. Opening Statement der Anklage, Protokoll vom 27. August 1947, Seite 62.

Angestellten, Meistern und Arbeitern, die in derartigen Betrieben im besetzten Gebiet gearbeitet haben.

Genau so liegt es hinsichtlich des Anklagepunktes III, also der angeblichen Sklavenarbeit. Wenn die Anklagebehörde recht hat, und die bloße Beschäftigung von Fremdarbeitern, unabhängig von guter oder schlechter Behandlung, ein Kriegsverbrechen ist, so sind dieses Kriegsverbrechens Hunderttausende von deutschen Industriellen, Angestellten, Meistern, Vorarbeitern, Handwerkern und Bauern schuldig.<sup>2)</sup>

2. "Es ist nun die Anklagebehörde dazu gekommen, sich ein so weites Ziel zu stecken ?

a. Noch auf der Krim-Konferenz vom 11. Februar 1945 wurden die Ziele der Alliierten so formuliert, dass jeder Deutsche, der trotz der 12 Jahre des Nationalsozialismus seine klare Überlegenungskraft behalten hatte, zustimmen konnte, wenn es hieß:

"Es ist unser unbeugsamer Wille, den deutschen Militarismus und Nationalsozialismus zu zerstören und dafür Sorge zu tragen, dass Deutschland nie wieder instande ist, den Weltfrieden zu stören."

Inzwischen wurden aber die Ziele erweitert, und allmählich erklärte man nicht mehr Hitler, die hohen nationalsozialistischen Führer und kriegsbegleiterten Militaristen fuer allein verantwortlich, sondern zog in diesen Kreis auch die ansehnlichen deutschen militärischen Persönlichkeiten und die Industriellen hinein, wobei es - wie General Taylor selbst sagt - gar nicht mehr darauf ankommt, ob diese Industriellen mit dem Nationalsozialismus verbunden waren oder gar von der nationalsozialistischen Führung verfolgt oder mit Misstrauen betrachtet wurden.<sup>3)</sup> Wenn aber Industrielle, unabhängig von nationalsozialistischer Einstellung, angeklagt werden, so ist das der reine Antikapitalismus, ueber den sich, wie wir gesehen haben, die Kommunisten mit Recht freuen, und deckt sich mit den oft wiederholten Angriffen Hitlers gegen die

2) vom Ausland ganz zu schweigen.

3) siehe Opening Statement d. Anklage, Prot. v. 27. August 1947, S. 65.



Industrie, der die gebildete Schicht Deutschlands und besonders die Industriellen hasste und immer wieder als Kapitalisten angriff und so z.B. am 10. Dezember 1940 sagte:

"Wie kann sich auch so ein Kapitalist mit meinen Grundsätzen vernehmen! Eher kann der Teufel in die Kirche gehen und Weihwasser nehmen, bevor dieser sich mit den Gedanken auseinandersetzen kann, die für uns heute selbstverständlich sind." (4)

3. b. Die grundlegenden Rechtsfragen dieses Prozesses liegen auf völkerrechtlichem Gebiet. Es war bisher ein allgemeiner Rechtsgrundsatz, dass der Staat, welchen die Rechte und die Pflichten der internationalen Verträge treffen, dafür verantwortlich ist, dass die völkerrechtlichen Grundsätze geschützt werden. Mit Recht will man neuerdings im Interesse des Völkerrechtes auch die einzelne Privatperson verantwortlich machen, und dieser Grundsatz, welcher da lange forerabsolut anzuerkennen ist, wird gerade in Amerika vertreten, z.B. von dem Professor Roscoe Pound, dem Völkerrechtler der Universität Harvard, und Henry L. Stimson, dem ehemaligen Kriegsminister unter Hoover und Roosevelt. (5)

Dies war aber bisher kein bestehendes oder herrschendes Recht. Es dürfte ein Irrtum sein, wenn General Taylor mir am 24. November 1947 im Flick-Prozess entgegenhielt, dass meine Meinung, die ich durch ein Gutachten des Völkerrechtlers, Professor Dr. Herbert Kraus, belegt hatte, längst überholt sei. (6) Ich erinnere demgegenüber daran, dass General Taylor sich bei dieser Debatte zu Unrecht auf den Prozess des Internationalen Militärtribunals und dessen Urteil bezogen hat; denn in diesem Prozess wurden hier in Nürnberg zwar Einzelpersonen angeklagt, nicht aber, wie in den Wirtschaftsprozessen, Privatpersonen, sondern Beamte, welche für den Staat gehandelt hatten

4.) Rede Adolf Hitlers am 10. Dezember 1940 vor Rüstungsarbeitern, veröffentlicht in "Der Grossdeutsche Freiheitskampf", II. Band, S. 162.  
5.) und andere mehr, siehe "Neue Zürcher Zeitung" in "Neue Auslese", 2. Jahrgang, 9. Heft, September 1947, S. 125.  
6.) Protokoll im Flick-Prozess, Seite 10124 ff.

und zusammen mit dem Staat die völkerrechtliche Verantwortung tragen. Hiermit deckt sich die Meinung der höchsten richterlichen Autorität auf dem Gebiete des Völkerrechtes, nämlich des Haager Internationalen Gerichtshofes, der im Jahre 1928 entschieden hat, dass das Völkerrecht

"keine direkten Rechte und Verpflichtungen fuer Privatindividuen schafft".

Es ist interessant zu sehen, dass die Anklagebehörde im ersten Nürnberger Prozess 1946 unter Leitung von Justice Jackson und General Taylor noch die gleiche Auffassung vertreten hat und die Verantwortlichkeit auf diejenigen Personen beschränkte, die unmittelbar fuer den Staat handelten.<sup>7)</sup> Wenn also die Anklagebehörde inzwischen ihre rechtliche Auffassung geändert hat, so liegt der Beweggrund klar darin, eine rechtliche Grundlage fuer die Verantwortlichkeit der Industriellen in den Wirtschaftsprozessen zu finden.

4.

c. Der dritte Grund, welcher die Anklagebehörde veranlasste, ihre Angriffe gegen die ganze deutsche Wirtschaft zu erweitern, liegt in dem Versuch, eine Rechtsbasis fuer die von General Clay aufgestellte Behauptung zu schaffen, dass Deutschland keine

---

7) Ich verweise: a. auf die Anklagerede des französischen Hauptanklagevertreters de Menthon vom 17. Januar 1946, der folgendes sagte:

"Es ist klar, dass sich in einem modern organisierten Staate die Verantwortlichkeit auf diejenigen beschränkt, die unmittelbar fuer den Staat handeln, da allein sie imstande sind, die Rechtmässigkeit der gegebenen Befehle zu beurteilen. Sie allein kennen und sollen verfolgt werden."

b. auf die folgenden Ausführungen des russischen Anklagevertreters Oberst Pokrovsky vom 13. Februar 1946:

"Es ergibt sich die natuerliche Schlussfolgerung (aus der Haager Landkriegsordnung), dass in Faellen von Verletzungen dieser Verpflichtungen die Verantwortlichkeit fuer ein Verbrechen gegen einen Kriegsgefangenen und insbesondere fuer ein System von Verbrechen gegen die Waerde, Person, Gesundheit und das Leben von Kriegsgefangenen, der Regierung des Landes zufallen muss, das die Konvention unterzeichnet hat."



Rechte aus der Haager Landkriegsordnung herleiten koenne, weil Deutschland zu oft und in zu grossem Umfange das Voelkerrecht gebrochen habe, eine Ansicht, die sich weiter aus der Haager Landkriegsordnung, nach aus der bedingungslosen Kapitulation herleiten laesst, wie ich spaeter zeigen und beweisen werde; uebrigens eine Ansicht, welche die Anklagebehörde bisher zu Gunsten der deutschen Industrie hinsichtlich der Vorgaenge in dem russisch besetzten Gebiete nicht gelten liess, obwohl dies logisch gewesen waere.

5. d. Darüber hinaus zeigt das Opening Statement von General Taylor im J.G.-Prozess, die weitgehend der Prozess von rein wirtschaftlichen Gedankengängen beeinflusst ist. Ich verweise nur auf 2 Zitate, welche General Taylor brachte:

aa) Der Verwalter des ausländischen Vermögens in den Vereinigten Staaten erklärte im Jahre 1919 in seinem Bericht ueber die chemische Industrie folgendes:

"Die deutsche chemische Industrie, welche die unsrige so vollkommen durchdrungen hatte, war von gigantischem Ausmass, vielleicht die grösste und jedenfalls die einträglichste aller deutschen Industrien", 8)

bb). Präsident Wilson sagte in seiner Botschaft an den Kongress der Vereinigten Staaten im Jahre 1919:

"Unter den Industrien, denen besondere Aufmerksamkeit zuwenden werden sollte, ist die der Herstellung von Farbstoffen und von verwandten Chemikalien. Infolge unserer vollkommenen Abhängigkeit von deutschen Lieferungen vor dem Kriege wurde die Unterbrechung des Handels zu einer Ursache ausserordentlicher wirtschaftlicher Störungen. Die enge Verbindung zwischen der Herstellung von Farbstoffen einerseits und von Sprengstoffen und Giftgasen andererseits hat ausserdem dieser Industrie ausserordentliche Bedeutung und Wert verliehen. Obgleich die Vereinigten Staaten gern und ohne Zögern dem Programm internationaler Entwaffnung beitreten werden, gebietet nichtsdestoweniger die einfachste Klugheit die Aufrechterhaltung von vielen grossen und gutausgerüsteten chemischen Fabriken." 9)

[illegible]

Wenn aber der Praesident der Vereinigten Staaten von Amerika aus militaerischen Gruenden die Schaffung und Erhaltung chemischer Fabriken fuer notwendig haelt, so ist es auffaellig und zeigt die Tendenz der Anklagebehoerde, wenn den Angeklagten die Vergroesserung der chemischen Industrie zum Verwurf gemacht werden soll, die jetzt in Deutschland entgegen den amerikanischen Gewohnheiten und vor einem Urteil ueber die J.G. zerschlagen werden ist.

6. Hinsichtlich des Angriffskrieges hat das Urteil des IMT absolut klare Linien gezogen, welche der Anklage gegen diese Angeklagten widersprechen. Es hat ausdruücklich das Schuldprinzip bejaht und verlangt, dass ein Angeklagter wegen Vorbereitung und Fuehrung eines deutschen Angriffskrieges nur verurteilt werden kann, wenn er die Ziele Hitlers genau kannte und in Kenntnis dieser Dinge ihm seine Mitarbeit gewahrte.<sup>10)</sup>

Das IMT-Urteil hat ferner die Kenntnis der damaligen Angeklagten nur bejaht, wenn sie ein absolut positives Wissen hatten und insbesondere die Erklarungen Hitlers kannten, welche in den sog. Schluesseldokumenten, naemlich in den 4 Reden vor den Oberbefehlshabern der Wehrmacht, enthalten sind, und zwar durch Teilnahme an diesen Sitzungen. Diese Voraussetzungen sind aber bereits nach dem eigenen Vertrage der Anklage nicht gegeben. Im uebrigen werde ich ~~es~~ beweisen, dass Schnitzler diese Ziele Hitlers und diese Erklarungen Hitlers nicht kannte und mangels Verbindung zu den betr. Personenlichkeiten auch nicht kennen konnte.

Einen wie strengen Masstab der Internationale Militaergerichtshof an die Beweispflicht der Anklagebehoerde gelegt hat, zeigt der Freispruch Schachts, der sicherlich einen groesseren Ueberblick hatte als Schnitzler und bei dem trotzdem das Gericht erklart hat, dass der Beweis nicht geglueckt ist, weil eben Schacht kein Teilnehmer

---

10) amtlich gedruckte Ausgabe, S. 252/3 deutsch, 226 englisch.



der erwahnten Sitzungen war und daher die Erklarungen Hitlers nicht kennen konnte.<sup>11)</sup>

Die Anklagebehorde hat nun eidesstattliche Versicherungen von Schnitzler vorgelegt, die sie als Beweis fuer seine Kenntnis ansieht und als Gestandnis werten will.

Ich werde im Rahmen der Verteidigung zeigen, dass diese Auffassung unrichtig ist, ganz abgesehen davon, dass diese Affidavits kein genuegendes Beweismittel im Sinne des IMT-Urteils sind. Ich habe bereits zu Beginn des Prozesses beantragt, die Affidavits abzulehnen, welche sich die Anklagebehorde von Schnitzler waehrend seiner Gefaengnis-Zeit geben liess, ohne ihm zu sagen, dass er als Angeklagter in Betracht komme, sondern im Gegenteil ausdruuecklich ihn als freiwilligen Zeugen vernahm, und ohne ihm einen juristischen Beistand zu gewaehren, ueberdies unter Umstaenden und in einer Art, welche eine psychische Depression und Unfreiheit zwangslaeufig zur Folge hatte, besonders, wenn man das labile Wesen dieses <sup>50.</sup> "Zeugen" beruecksichtigt.

Selbst wenn man aber von diesem psychischen Druck, unter dem Schnitzler stand, absehen wollte, so enthalten die Affidavits kein Gestandnis, weil Schnitzler dort keine Tatsachen erzaehlt und zugibt, sondern lediglich Argumentationen gibt, die ueberdies von der Anklagebehorde beeinflusst und zum mindesten ihm nahegelegt worden sind.

Um dies alles zu verstehen, muss man die Verhaeltnisse in Deutschland waehrend der nationalsozialistischen Herrschaft kennen und insbesondere in Deutschland die Zeit nach dem Muenchner Abkommen erlebt haben. Das Verhalten Hitlers nach dem Muenchner Abkommen rief im Inlande und im Auslande den groessten Pessimismus hervor. Dieser Pessimismus steigerte sich nach Maerz 1939 ausserordentlich, nachdem Hitler ploetzlich ein undurchsichtiges Abkommen mit dem Praesidenten Hacha

---

11) amtlich gedruckte Ausgabe, S. 349/50 deutsch, 310 engl.

geschlossen hatte. Gerade zu dieser Zeit fuhrte Schnitzler industriell-  
deutsch-englische Verhandlungen und war ueber das rücksichtslose Vorge-  
hen Hitlers ebenso entsetzt wie die Englaender, die mit ihm verhandelten.  
Als dann die Polen-Frage akut wurde, wurden viele Deutsche und Auslaender  
und ebenso Schnitzler immer besorgter; trotzdem glaubte und hoffte man,  
dass Hitler, wie in Muenchen, vernuenftig sein, keine ueberspannten An-  
sprueche stellen und sich mit dem begnuegen wuerde, was er oeffentlich  
verlangte und was England ihm - wie die Aussage des im ersten Prozess  
vernommenen Zeugen, des schwedischen Grossindustriellen Dahlerus, ergab -  
auch zubilligte. Selbst Chamberlain, der groesste Kaempfer fuer den  
Frieden, und der genannte Zeuge Dahlerus - wie dieser bekundete - wussten  
in den August-Tagen 1939 nicht, dass Hitler einen Angriffskrieg fuehren  
wollte, weil sie die im ersten Prozess vorgelegten Dokumente Hitlers  
nicht kannten; sie fuerchteten aber eine Angriffsabsicht Hitlers.  
Ebense Schnitzler, der eine noch geringere positive Kenntnis hatte  
und seinerzeit, wie viele Deutsche, nur fuerchten, kombinieren und argu-  
mentieren konnte. Dies werde ich beweisen, und dies enthelt nach dem  
IMT-Urteil niemals eine strafrechtliche Schuld.

8. Ich komme nun zu dem Verhalten der J.G. in den besetzten  
Gebieten, also zu denjenigen Tatbestaenden, welche die Anklage unter  
den Begriff der "Pluenderung" subsummiert.

Ich darf zunaechst bemerken, dass ich aufgrund einer Verein-  
barung innerhalb der Verteidigung auf diesem Gebiete die Bearbeitung der  
rechtlichen und voelkerrechtlichen Grundlage uebernommen habe und da-  
her dieses Thema speziell auch in meiner Beweisfuehrung und spaeter  
im Plaedoyer uebernehme.

Bei der Behandlung der vorgeworfenen Pluenderungsaeselle im  
Westen und Osten scheint die Anklagebehoerde, sehnlich wie im Flick-  
Prozess, folgende rechtlichen oder tatsaechlichen Fehler begangen zu  
haben:



a. Der Begriff der Pluenderung ist in dem Kontrollratsgesetz nicht definiert. Die Pluenderung ist in Artikel 2, Ziffer 1 b, lediglich als Beispiel genannt, und zwar fuer den Oberbegriff: "Gewalttaten oder Vergehen gegen Eigentum, begangen unter Verletzung der Kriegsgesetze oder -Gebraeuche".

Eine Pluenderung im Sinne des Kontrollratgesetzes liegt also nur vor, wenn ein Eigentumsdelikt unter Verletzung der Haager Landkriegsordnung von 1907 gegeben ist. Ueberdies zeigt die Formulierung des Kontrollratsgesetzes, dass nur schwerwiegende Tatbestaende als Kriegsverbrechen anzusehen sind. Es geht also nicht an, wenn die Anklagebehoerde einfach jeden formalen Verstoss gegen die Haager Landkriegsordnung ohne weiteres zum Kriegsverbrechen erkluert. So sieht z.B. die Anklage den Abtransport einer Maschinen-Apparatur im Falle Winnice als Kriegsverbrechen an, ohne zu beruecksichtigen, dass die polnische Firma zu 50 % in franzoesischem und zu 50 % im Eigentum der J.G. stand und sodann noch die Franzosen ihre Anteile auf die J.G. uebertrugen, es sich also nunmehr um Eigentum der J.G. handelte.

b. Ueberhaupt hat die Anklagebehoerde die wirtschaftlichen Grundlagen ebenso unbeachtet gelassen, wie die rechtliche Seite, d.h. in welchem Umfange es sich um Massnahmen des Staates handelte und wie weit die J.G. sich nach den Anordnungen des Staates richten musste. In dem sog. Pluendierungsprogramm der Regierung, ueber das sich vielleicht Goering mit Hitler und anderen in geheimen Sitzungen unterhielt, war die Industrie nicht beteiligt und kannte einen grossen Teil der in dem grossen Prozess und in den Wirtschaftsprozessen vorgelegten Dokumente dieser Art ueberhaupt nicht.

In wirtschaftlicher Hinsicht ist - ich denke z.B. an den Fall Francolor - von der Anklagebehoerde unbeachtet geblieben, dass monatelange Verhandlungen zwischen der franzoesischen Farbenindustrie und der J.G. stattgefunden haben, die schliesslich zu einer Versteen-

Versteändigung fuehrten, und diese Versteändigung war - wie ich beweisen werde - wirtschaftlich keine Schaedigung der franzoesischen Farbenindustrie, sondern ein angemessener gegenseitiger Vertrag, aufgrund dessen die franzoesischen Farbenfabriken arbeiten und in gressom Umfange fuer die eigene Bevoelkerung sorgen konnten, auf jeden Fall ein Vertrag, der sich fuer das besetzte Gebiet wesentlich besser und guenstiger auswirkte, als die jetzt so beliebte Demontage von Fabriken.

c. Die Anklagebehoerde hat den Begriff der Fluenderung im Sinne der Haager Landkriegsordnung von 1907 viel zu weit gefasst und hierbei den modernen Wirtschaftskrieg, der 1907 noch nicht bekannt war, voellig ausseracht gelassen. Jedes Recht, und so auch das Voelkerrecht, ist von der historischen Entwicklung anhaengig, was zu einer Erweiterung, aber auch zu einer Einschraenkung, fuehren kann. Daher sagte auch der Internationale Militaergerichtshof in seinem Urteil ueber das Voelkerrecht weertlich:

"Dieses Recht ist kein starres, sondern folgt durch staendige Angleichung den Notwendigkeiten einer sich wandelnden Welt".

Die Haager Landkriegsordnung kann daher nicht weertlich, sondern nur sinngebraess ausgelegt werden. Es gab damals noch keinen Luftkrieg, der uneingeschraenkt und mit den grausamsten Mitteln gefuehrt worden ist, obwohl es nach Artikel 25 der Haager Landkriegsordnung verboten ist, unverteidigte Staedte oder Doerfer anzugreifen oder zu beschiessen.

Es gab damals noch keine Blockade eines ganzen Reiches, wie im ersten Weltkriege, oder gar fast eines ganzen Kontinentes, wie im zweiten Weltkriege. Und ebenso gab es damals noch nicht den aus der Blockade resultierenden Wirtschaftskrieg. All dies war in der Haager Landkriegsordnung noch nicht vorgesehen, und folglich koennen insoweit nur die allgemeinen und wesentlichen Grundsaeetze gelten, und es koennen die einzelnen Bestimmungen nicht formal-juristisch angewandt



werden, ebensowenig wie die Alliierten im Luftkriege den Artikel 25 der Haager Landkriegsordnung angewandt haben.

Es ist ganz ohne Zweifel, dass ein Völkerrecht besteht, sei es ein kodifiziertes Recht, sei es ein Gewohnheitsrecht, und dass die wichtigen Grundsätze des Völkerrechtes in jeder Weise respektiert werden müssen. Ich werde aber zeigen, dass das Völkerrecht leider keine ganz sichere Basis hat und dass es daher fuer einen Juristen und erst recht fuer einen Industriellen ausserordentlich schwierig ist, bei dem einzelnen Tatbestand ueberhaupt zu erkennen, ob er einen völkerrechtlichen Verletzung enthaelt. Gerade diese unsichere Basis zeigt, dass man einen Industriellen, also eine Privatperson, nicht fuer die Einhaltung verantwortlich machen kann, zumal er die von der Regierung eingeleiteten Taten im einzelnen nicht beurteilen kann, weil er die Hintergruende nicht kennt. Ich moechte das an einem einfachen Beispiel zeigen:

Dies ist der Artikel 43 der Haager Landkriegsordnung. Hier ist bestimmt, dass der besetzende Staat alle Verkehren treffen soll, um

"die oeffentliche Ordnung und das oeffentliche Leben wieder herzustellen und aufrechtzuerhalten".

Nachdem die deutschen Truppen im Juni und Juli 1941 weite Gebiete im Osten besetzt hatten, kam ein Erlass Hitlers ueber die Verwaltung der besetzten Ostgebiete vom 17. Juli 1941 heraus, dessen Praefambel lautet:

"Um die oeffentliche Ordnung und das oeffentliche Leben in den neu besetzten Ostgebieten wieder herzustellen und zu erhalten, ordne ich an, ....".

Also der genaue Wortlaut des Artikels 43 der Haager Landkriegsordnung, so dass jeder von dem Gedanken geleitet werden musste, dass das Interesse des besetzten Gebietes nicht ausseracht gelassen wird.

Uebrigens: Zu dem Rahmen dieses Artikels 43 gehoert es, die Fabriken der besetzten Gebiete weiterzufuehren, und zwar gerade im Interesse der Bevoelkerung des besetzten Landes.

„Die sehr die rechtlichen Auffassungen darüber schwanken, was in einem besetzten Gebiete zulässig ist, zeigt ein Vergleich mit den jetzigen Verhältnissen in Deutschland:

In der Richtlinie der Vereinigten Stabschefs fuer Armeegeneral Dwight D. Eisenhower (JCS 1067) vom April 1945 ist folgendes bestimmt:

„Deutschland wird nicht besetzt zum Zwecke seiner Befreiung, sondern als ein besiegter Feindstaat. Ihr Ziel ist nicht die Unterdrueckung, sondern die Besetzung Deutschlands, um gewisse wichtige alliierter Ziele in die Tat umzusetzen.“

Hienach kann rechtlich kein Zweifel sein, dass die Haager Landkriegsordnung zur Anwendung kommen muss, weil der besiegte und besetzte Feindstaat die einzige Voraussetzung fuer ihre Anwendung ist, und die Haager Landkriegsordnung selbst keine Ausnahme kennt. Trotzdem ist in der gleichen Richtlinie fuer General Eisenhower bestimmt:

„keine Schritte in Richtung auf die wirtschaftliche Wiederherstellung zu tun und keine, die dazu bestimmt sein koennten, die deutsche Wirtschaft zu erhalten und zu kraeftigen“.

Dieser klare Wortlaut zeigt, dass man auf amerikanischer Seite der Meinung war, sich ueber den Artikel 43 der Haager Landkriegsordnung hinwegsetzen zu koennen, und die vor kurzem veroeffentlichte Liste der demontierten deutschen Fabriken zeigt das gleiche.

Ich muss der Vollstaendigkeit halber hinzufuegen, dass die eben zitierte JCS 1067 etwa 2 Jahre, bis zum Sommer 1947, gegolten hat, und jetzt nicht mehr gilt. Die neue Richtlinie fuer General Clay enthaelt fuer die deutsche Wirtschaft einen freundlicheren Ton, und das gleiche zeigen viele andere Handlungen. Das alles aber ~~ist~~ <sup>ist</sup> die unklare Basis des Voelkerrechtes, das sich kaum von April 1945 bis Juli 1947 geaendert haben kann.

9. Hinsichtlich des III. Anklagepunktes: Fremdarbeiter, Kriegsgefangene und Kz-Haeftlinge habe ich im Flick-Prozess die Ruhr-Industrie, insbesondere den Kohlenbergbau, und zahlreiche andere Firmen eingehend verteidigt. In diesem Prozesse kann ich mich insoweit kurz fassen,



weil Dr. von Schnitzler mit den betrieblichen Fragen und speziell mit Einzelheiten des Arbeitseinsatzes nicht beschaeftigt war. Daher habe ich meinen Klienten nur zu verteidigen, als er von der Anklage angegriffen wird, weil er als Vorstandsmitglied die Verantwortung mittraegt, und ferner als Mitglied verschiedener Organisationen, z.B. der Reichsgruppe Industrie. Die Anklage meint,

"man kann nicht die Verrechte der Autoritaet in Anspruch nehmen, ohne die Verantwortlichkeit auf sich zu nehmen" 12),

und uebersieht dabei, dass zwischen der zivilrechtlichen Verantwortlichkeit eines Vorstandes aufgrund des Aktienrechtes und einer strafrechtlichen Verantwortlichkeit zu unterscheiden ist. Bei einer strafrechtlichen Verantwortlichkeit muss die Schuld nachgewiesen werden und damit ein positives Wissen bestimmter Tatbestaende. Die Anklagebehoerde gibt selbst zu, dass viele Angeklagte in Unkenntnis ueber diese Einzelheiten gewesen sind, meint aber, dass sie in der Lage und verpflichtet gewesen waeren, sich ueber die Einzelheiten Kenntnis zu verschaffen, und zu diesem Zwecke Untersuchungen anzustellen.

Abgesehen davon, dass bei einem so grossen Konzern es voellig unmoeglich ist, bestaendig Untersuchungen anzustellen, gehoerte es im Rahmen eines solchen Konzerns oder eines solch grossen Vorstandes - wie der Prozess zeigen wird - auch nicht zu den Pflichten jedes Vorstandsmitgliedes, sich um die betrieblichen Angelegenheiten zu kummern und darueber seine eigenen Arbeitsgebiete zu vernachlaessigen.

Diese Luecke hat auch die Anklagebehoerde erkannt und versucht, darueber mit Hilfe des Kontrollratsgesetzes hinwegzukommen, indem sie sich auf Artikel 2, Ziffer 2 e und f des Kontrollratsgesetzes Nr. 10 stuetzt, wo neben den strafrechtlich ueblichen Teilnahmeformen 2 neue Teilnahmeformen geschaffen sind, naemlich die Tatsache.

---

12) Opening Statement der Anklage, Prot., S. 181.  
12a) Taeter, Mittaeter, Anstifter etc.

dass jemand im industriellen oder wirtschaftlichen Leben eine gehobene Stellung inne hatte, und die blosse Zugehörigkeit zu einer Organisation, die mit der Ausführung eines Kriegsverbrechens im Zusammenhang stand, wobei ueberraschenderweise offenbar auch die J.G. als Organisation oder Vereinigung in diesem Sinne angesehen werden soll. Im Laufe des Prozesses wird nachgewiesen werden, dass diese Bestimmung und besonders die Auslegung, die die Anklagebehörde ihr geben will, im Widerspruch zum IMT-Urteil steht. Das JMT hat schon, als es bestimmte Organisationen fuer verbrecherisch erklarte, ausdruecklich betont, dass die "blosse Mitgliedschaft nicht ausreicht" und dass eine "strafrechtliche Schuld immer eine persoenliche" ist. Infolgedessen musste auch hier die Anklagebehörde nicht nur die Tatsache der Stellung und der Zugehörigkeit beweisen, sondern musste die Schuld beweisen, also eine eigene Teilnahme, ganz abgesehen davon, dass die J.G. als Aktiengesellschaft nicht als Organisation im Sinne des Kontrollratsgesetzes anzusehen ist.

Im uebrigen habe ich im Flick-Prozess bereits ~~indicated~~ erklart, um die Zeit des Gerichtes nicht unnuetig in Anspruch zu nehmen, ueber diese Frage ein ausfuehrliches Rechtsgutachten von Rechtsanwalt Klefisch ueberreicht, das ich auch in diesem Prozesse ueberreichen werde.

Darueber hinaus moechte ich in diesem Zusammenhang vorlaeufig nur die Worte zitieren, welche das Amerikanische Militaertribunal Nr. II in Case IV gesprochen hat <sup>13)</sup>:

"Wiederum sieht sich der Gerichtshof gezwungen zu fragen: Was haette er tun sollen? Wenn wir nicht zu dem Grundsatz der Gruppenverantwortlichkeit Zuflucht nehmen und das ganze deutsche Volk dieser Kriegsverbrechen und Verbrechen gegen die Menschlichkeit beschuldigen, dann muss es eine Linie geben, wo die Verbrechen ihr Ende findet. Dieses Gericht ist der Ansicht, dass Vogt jenseits dieser Linie steht."

Und so bin ich der Meinung, dass dieser Prozess ergeben wird, dass Schnitzler jenseits dieser Linie steht und dass auch bei ihm zu fragen waere: "Was haette er tun sollen?"

---

13) Protokoll aus Case IV, Seite 8008.



10. Ich glaube ueberhaupt - und damit komme ich zum Schluss -, dass die Anklagebehoerde bei der Beurteilung des Verhaltens aller Angeklagten viel zu sehr an die eigene demokratische Freiheit in Amerika denkt und immer wieder vergisst, dass es sich bei dem nationalsozialistischen Staat um eine Diktatur von besonders praegnantem Format handelt, eine Tatsache, auf die gar nicht oft genug hingewiesen werden kann und die anscheinend wohl nur derjenige versteht, der die ganzen 12 Jahre in Deutschland miterlebt hat.

Die Anklage, die sonst so gern das Internationale Militaer-Tribunal zitiert, vergisst hier das IMT-Urteil und ebenso ihren eigenen Mitarbeiter in dem grossen Prozess, den franzoesischen Anklagevertreter, der am 7. Februar 1946 besonders zutreffend gesagt hat:

"In der Tat war Hitler die Inkarnation alles Willens."<sup>14)</sup>

Die hieraus resultierende Staerke und Macht fuehrte - wie das IMT-Urteil sich ausdruickt - Hitler "zur Diktatur mit allen ihren Terrormethoden, ihrer zynischen und offenen Missachtung allen Rechtes"<sup>15)</sup>, und ich zitiere weiter:

"Feindselige Kritik, ja jede Kritik irgendwelcher Art, wurde verboten, und die schwersten Strafen wurden denen auferlegt, die sich in diesem Sinne betaetigten. Ein unabhhaengiges, auf Gedankenfreiheit beruhendes Urteil wurde somit zur vrelligen Unmoeglichkeit."<sup>16)</sup>

Ich bitte das Hohe Gericht, bei der Beweisfuehrung der Verteidigung immer an die ausserordentlichen Gefahren und die ungeheueren Macht eines Diktators zu denken, welcher die Freiheit der Tat und die Freiheit des Willens ausschloss, und so darf ich - enden - mit den Worten eines griechischen Weisen aus Platons Zeit:

"Man halte sich fern von der Gesellschaft des Tyrannen -  
oder sei ihm zuwillen."

\*\*\*\*\*

14) Sitzungsprotokoll, Seite 4023.

15) amtlich gedruckte Ausgabe des Urteils, Seite 21.

16) " " " " " " 22.

*Defense  
Case 6*

OPENING - STATEMENT

---

des

Rechtsanwalts Friedrich Wilhelm Wagner  
als Verteidiger

des Angeklagten Dr. Carl WURSTER  
in dem Strafverfahren der  
Vereinigten Staaten von Nordamerika  
gegen Carl Krauch u.a.

vor dem Military Tribunal No. 6

(Nürnberg/Deutschland)



*Spinn.*



1

Opening Statement  
-----

von Rechtsanwalt F. W. Wagner  
fuer den Angeklagten Dr. Carl Wurster.

Amerika kennt sehr wenig den europaeischen Kontinent und insbesondere Deutschland, und umgekehrt kennt Deutschland und der europaeische Kontinent sehr wenig Amerika. Nur Wenige wissen, dass die Sitzungen des Senats der Vereinigten Staaten von Amerika jedesmal eroeffnet werden mit einem kurzen Gebet (one minute prayer), gesprochen von einem Geistlichen. Dieses Gebet wird zusammen mit den Verhandlungen des Senats in dem "Congressional Record" veroeffentlicht. Eines dieser prayers von Rev. Dr. Peter Marshall lautete:

"Shed the light of Thy Holy Spirit within our minds and hearts, that all who sincerely seek the truth may find it, and finding it may follow it, whatever the cost, knowing that it is the truth that makes men free. Where we are wrong, make us willing to change, and where we are right, make us easy to live with."

Mein Mandant, Dr. Carl Wurster, hat unter dem Hitlerregime in der Zeit, als finstere Nacht sich ueber Deutschland ausgebreitet hatte, da die Propaganda an die Stelle der Wahrheit getreten war, *an der Wende des D.A.S. in den Kampf* bei Einfuehrung der Lehrlinge auch das hohe Lied der Wahrheit gesungen. Er hat diese Wahrheit als

Grundbedingung fuer das kuenftige Schaffen dieser jungen Menschen dargestellt und darauf hingewiesen, dass alles in der Natur und auch in der chemischen Wissenschaft den Gesetzen der Wahrheit unterworfen ~~ist~~ und dass die Naturgesetze sich nicht betraegen und nicht umfaelschen lassen. Alle, die nach dieser Wahrheit aufrichtig streben, koennen, wenn sie erleuchtet sind von dem Geiste, von dem in dem praeyer gesprochen wird, sie finden. Diese Wahrheit, die wir auch in diesen grossen Prozess zu erforschen haben, muss aber begleitet sein von der Gerechtigkeit. Die Wahrheit macht den Menschen frei und die Gerechtigkeit schafft die Grundlage des Zusammenlebens in geordneten menschlichen Gemeinschaften. So will ich als Verteidiger mit der Waffe der Wahrheit kaempfen, um fuer meinen Klienten, Dr. Wurster, die Freiheit zu gewinnen, die er von Ihrer Gerechtigkeit erwartet.

Herr Dr. Wurster wird zusammen mit allen uebrigen Angeklagten beschuldigt, ein Kriegsverbrecher zu sein. Das ist die einfachste Formel, auf die man die Anklage bringen kann. Die Anklagebehörde hat aber Herrn Dr. Wurster niemals ueber die Anschuldigungen gehoert, obwohl sie hierfuer Zeit und Gelegenheit genug gehabt haette. Er hatte nie irgend eine Gelegenheit gegenueber der Stille, die die schweren und geradezu ehrenruehrigen Angriffe erhoben hat, sich rechtfertigend zu aeussern.



Man hat ihn aus dem Krankenhaus in Ludwigshafen, der Stadt des Sitzes der Badischen Anilin- & Soda-Fabrik, herausgeholt und ihn hier in Nuernberg zunaechst in ein Gefaengnislazarett und dann in den Kerker gesteckt, ohne ueberhaupt zu wissen, was dieser Mann auf die Anwuerfe zu erwidern hat. Seine einzige Aeusserung, die er in diesem Strafverfahren bis jetzt getan hat, war nicht eine Aeusserung gegenueber der Staatsanwaltschaft, sondern eine Aeusserung dieses Hohen Gerichte gegenueber und von mehr formaler Natur. Sie bestand aus ganzen zwei Worten. Auf die Frage, ob schuldig oder nichtschuldig, erklarte er sein "nichtschuldig". Diese Worte "nicht schuldig" sind aber fuer Dr. Wurster nicht nur eine ~~prozessual~~ <sup>prozessual</sup> ~~al~~ <sup>al</sup>, sie sind die wirkliche Betaeuerung seiner voelligen Unschuld. Sie kommen von einem Manne, der, wie ich Ihnen zu zeigen haben werde, Anspruch darauf erheben darf, dass man ihn glaubt. Er ist davon ueberzeugt, und ich bin es auch, dass er weder strafrechtlich noch moralisch in diesem Prozess mit irgend einer Schuld belastet werden kann. Die Anklage macht sich an und fuer sich die Sache sehr leicht. In ihrer Anklageschrift und in ihrem gesamten Vortrag heisst es immer wieder "alle Angeklagten" haben das und das getan, ohne dass sie im einzelnen sich der Mache unterzieht, die individuelle Schuld zu untersu-

chen oder nachzuweisen. Eine Betrachtung der Persoenlichkeit und ihrer Faeh igkeit, solche strafbare Handlungen zu begehen, wie sie hier vorgeworfen werden, findet ueberhaupt nicht statt. Jede individuelle Pruefung, die gerade im Strafrecht die Grundlage der Rechtsfindung sein muss, faellt einer mechanistisch-kollektivistischen Walze zum Opfer, die ueber alles und alle gewaltsam und zerstoerend hinwegrollt. Von der Bedeutung des Individuums und seinem berechtigten Anspruch als solches bewertet und beurteilt zu werden, ist nichts mehr zu spueren. Es kann einem geradezu Angst werden, wenn man sieht, wie das grosse Land, das die letzte Hoffnung fuer die Verteidigung der individuellen Freiheit in der Welt bedeutet, in der Praxis der Staatsanwaltschaft in diesen Prozess dazu uebergangen ist, all diese Prinzipien ueber Bord zu werfen.

Wenn man der Klage gegen Dr. Wurster nachgeht und die einzelnen Vorwurfe an seiner Persoenlichkeit misst, dann ist die Erkenntnis von der Verfehltheit der Klage gegen ihn unausweichlich.

Es stoert die Staatsanwaltschaft gar nicht, dass im Jahre 1932, als das in der Anklage be-



hauptete Buendnis der I.G.Farben mit Hitler abgeschlossen worden sein soll, das den Ursprung der angeblichen Verschwörung darstellt, Dr. Wurster noch ein Chemiker war in Werke Ludwigshafen wie viele Hunderte andere auch, der von all den Dingen, die in den hoeheren Sphaeren der I.G.Farben sich abwickelten, keine blasse Ahnung gehabt hat und auch nicht die geringste Kenntniss davon haben konnte. Er war zwar im Jahre 1932 als ein junger Chemiker im Alter von 31 Jahren schon sehr aufgefallen durch seine besonderen Erfindungen, durch eine stattliche Anzahl von in- und auslaendischen Patenten, durch seine neuen Fabrikationsverfahren. Er hatte aber, und das wird niemand bestreiten koennen, ebenso wenig Einfluss auf den I.G.Konzern als irgend ein anderer Chemiker. Wenn er im Jahre 1938, im Alter von etwa 37 Jahren, 5 Jahre nachdem Hitler und das Naziregime die Gewalt in Deutschland an sich gerissen hatten, in den Vorstand der I.G.Farben berufen worden ist, so war das lediglich zurueckzufuehren auf seine aussergewoehnlichen Leistungen auf seinem wissenschaftlichen und chemischen Gebiet, seinen unendlichen Fleiss und die Erkenntniss der fuer seine Berufung verantwortlichen Personen von der Bedeutung seiner Gesamtpersoenlichkeit. Er kam in den Vorstand dieses grossen Konzerns ohne Protektion, ohne persoenliche, familiere oder gesellschaftliche Beziehungen und ohne

irgendwelche Einflüsse von aussen her. Dr. Wurster ist im wahren Sinn des Wortes ein self made man. Er hatte das Geld fuer sein Studium sich selbst zu verdienen, gab Schuelern und Studenten Nachhilfunterricht und studierte nachts. In den Ferien stand er in der Fabrik als Werkstudent, um sein Weiterstudium finanzieren und seine Studien vollenden zu koennen. Sein Lebensweg war hart. Ein Mann, der so den harten Weg nach oben stieg und sich dessen nicht schaemt, sondern stolz darauf ist, ein solcher Mann entwickelt ganz besondere Eigenschaften. Ihnen, meine Herren Richter, sind aus den Vereinigten Staaten her solche Maenner und ihre Eigenschaften sehr gut bekannt. Als Dr. Wurster, der bisher nur Chemiker war, mit der Ernennung in den Vorstand der I.G. Farben zum Betriebsfuehrer des grossen Werkes der Badischen Anilin- & Soda-Fabrik in Ludwigshafen und Oppau wurde, stand er vor einer Riesenaufgabe. Dieses Werk mit seinen etwa 25 000 Beschaeftigten war sein Stolz, und er widmete ihm seine ganze grosse Arbeitskraft. Sein Ziel war es, in seinem Werk die chemische Wissenschaft und Produktionstechnik weiter zu entwickeln und dabei eine grosse Gemeinschaft aller Arbeitenden in diesem Werk zu formen. Er wollte dabei nur eines sein, der erste Arbeiter dieser Gemeinschaft, der die haerteste Arbeit und die laengste Arbeitszeit auf sich selbst nahm. Im Mittelpunkt seines Denkens stand bei ihm der



Mensch , fuer dessen Foerderung und Glueck  
all diese Anlagen, all diese Maschinen und  
all diese Einrichtungen bestimmt waren. Besse-  
re, gesuendere und schoenere Wohnungen fuer  
all die im Werk Arbeitenden zu beschaffen,  
ein modernes Krankenhaus zu errichten und  
die an und fuer sich schon fortgeschritte-  
nen sozialen Einrichtungen der Fabrik weiter  
auszugestalten und das Verhaeltnis zwischen  
Betriebsleiter und Betriebsangehoerigen aus  
der kalten Atmosphaere von Arbeitgeber und  
Arbeitnehmer herauszufuehren in die waermere  
von Mensch zu Mensch, das war sein hohes Ziel.  
Das ganze Leben menschlicher zu gestalten,  
darin erblickte er seine Aufgabe als Betriebs-  
fuehrer des Werkes Ludwigshafen. All das wer-  
de ich beweisen. Ein Mann, der so denkt wie  
Dr. Wurster, kann in einen Kriege nur ein  
ganz grosses Unglueck sehen. Ein Krieg wuerde  
ihn all seine Plaene zerreißen und all seine  
Hoffnungen auf Aufbau zerstören. So hat Dr.  
Wurster jede Idee des Krieges abgelehnt. Fuer  
ihn, der den Aufbau und nicht der Zerstörung  
dienen wollte, war der Krieg in jeder Form,  
wie er sich oft ausgedrueckt hat, ein Wahnsinn  
und ein Verbrechen. Ich werde zeigen, dass dies  
die Einstellung Dr. Wursters zum Kriege war,  
eine Gesinnung, die geboren ist aus seiner mo-

ralischen Persoenlichkeit. Dazu kommt aber, dass Ludwigshafen, der Sitz des von ihm geleiteten Werkes, nahe der franzoesischen Grenze liegt, so dass auch seine Vernunft ihm sagte, dass jeder Krieg unweigerlich das Ende des Werkes bringen wuerde, das er zur Bluete zu fuehren sich anschickte. Und als der Krieg im Jahre 1939, also nicht lange nach seinem Eintritt in den Vorstand der I.G.Farben ausbrach, war keiner mehr ueberrascht und keiner mehr deprimiert wie Dr. Wurster. Wie kann man einem Mann dieser Gesinnung, einem Mann dieser Einstellung vorwerfen, dass er einen Angriffskrieg geplant, vorbereitet und gefuehrt habe! Von diesem Vorwurf wird nach meinem Beweisvortrag nichts uebrig bleiben, fuer jeden, der gewillt ist, die Wahrheit zu sehen.

Die Anklage muss das Empfinden gehabt haben, dass sie etwas mehr beweisen muss, um aus Dr. Wurster einen Planer und Vorbereiter eines Angriffskrieges zu machen und hat deshalb hier in dieser Saale eine Tafel aufhaengen lassen, auf der auch der Name des Herrn Dr. Wurster mit einem Hakenkreuz versehen war. Ich werde Ihnen nachweisen, meine Herren Richter, dass mein Mandant, nachdem er schon an die Spitze des Werkes Ludwigshafen getreten war, den allmaechtigen Nazifuehrer gegenueber den Eintritt in die Naziartei kategorisch abgelehnt hat, dass er nie seinen freiwilligen Eintritt erklarte und Ende 1938 kur-



zerhand durch einen Parteilbefehl von den Nazi-  
autoritaeten als Mitglied erklart worden ist.  
Ich werde nachweisen, Hohes Gericht, dass  
Dr. Wurster den masslosen und zerstuerenden  
Nazideologien fernstand. Ich werde das tun  
durch das Zeugnis von Maennern, die im Kampf  
gegen das Nazitum standen und von solchen, die  
Nazioffer geworden sind, weiter von anderen,  
die an Ort und Stelle als Besatzungsoffiziere  
ihre Erhebungen gemacht haben. Nach dieser Be-  
weisfuehrung wird das Hakenkreuz sicherlich  
in ihren Augen von seinem Namen und seiner Per-  
son getrennt sein. Dr. Wurster war ein Freund  
des Friedens und ein Haesser des Krieges. Er  
war und ist ein Mann, der den Fortschritt und  
die Freiheit liebt und deshalb das Nazitum ab-  
gelehnt hat. Er war und ist ein aktiver und  
positiver Christ, der auch aus diesen religioe-  
sen Motiven heraus sowohl von einem Angriffsk-  
rieg wie von dem Nazitum nichts wissen wollte.

Zu Punkt 2 der Anklage hat die Anklagebehörde  
als Belastungsdokument gegen Dr. Wurster einen  
eilig diktierten Entwurf von Notizen ueber seine  
schnelle 5taegige Polenreise vorgelegt. Diesen  
eilig diktierten Entwurf von Notizen hat sie  
so grosse Bedeutung zugemessen, dass er sogar  
im Opening Statement der Anklage verwendet wor-  
den ist. Er ist dabei gebraucht worden in einer  
Weise, die dartut, dass man gluecklich war,

irgend etwas Konkretes gegen einen unangreifbaren Mann endlich gefunden zu haben, das ihn als einen Menschen erscheinen laesst, der in seinem Wesen doch von Naziungeist verseucht ist. Man hat damit einen Pfeil auf ihn abgeschossen wollen mit einer giftigen Spitze. Durch unsere Beweisfuehrung werden wir diesen Pfeil die giftige Spitze abbrechen und ihn voellig wirkungslos machen. Wir werden sogar das Gegenteil dessen beweisen, was die Anklagebehoerde mit Hilfe dieser Notizen Dr. Wurster vorwerfen will. Wir werden beweisen, dass er mit den Menschen, mit denen er auf dieser Reise in Beruehrung kam, Mitgefuehl in ihren Unglueck empfand und dass er nicht, wie die Anklage das willkuerlich aus den Notizen herausgelesen hat, in Antisemitismus machte, sondern sowohl auf der kurzen Polenreise selbst als aber auch in seiner gesamten uebrigen Taetigkeit nicht nur in Worten, sondern in Taten fuer alle zu Unrecht verfolgten Menschen und damit auch fuer die verfolgten Juden eingetreten ist. Die Beweise, die wir fuer das Verhalten Dr. Wursters vorlegen werden, geben mir das Recht zu sagen, dass man auch in anderen Laendern sich sehr anstrengen muesste, um Menschen zu finden, die sich in der gleichen Situation ebenso anstaendig gegenueber den verfolgten Juden benommen und ebenso mutig sich fuer sie eingesetzt haetten, wie er es getan hat. Vor so die Rassenueberheb-



lichkeit zurückweist, wie ich es bezüglich seiner Person unter Beweis stelle, wer so den Menschen nach seinen eigenen Werten ohne Rücksicht auf seine Rasse und nationale Abstammung einschätzt und wer so die Arbeit achtet und ehrt, der ist dessen, was man als Verbrechen gegen die Menschlichkeit bezeichnet, nicht fähig. Es ist richtig, in dem Betrieb, fuer den Dr. Wurster als Betriebsfuhrer seit 1938 verantwortlich war, gab es auch Fremdarbeiter der verschiedensten Nationalitaeten und Kriegsgefangene. Ich habe keinen Zweifel, dass es mir gelingen wird, in unserem Beweisverfahren es Ihnen zu Ihrer Ueberzeugung darzutun, dass gegen die Beschaeftigung von Fremdarbeitern von Seiten Dr. Wursters wie auch von Seiten aller anderen, und es waren deren nicht wenige, nichts, aber auch gar nichts getan werden konnte. Der totalitaere Nazistaat, der durch seine Politik den Krieg herbeigefuehrt hat, haette jeden, auch Dr. Wurster, bei Verweigerung der Beschaeftigung von auslaendischen Arbeitern waehrend des Krieges als Saboteur vernichtet oder, wie es bei den totalitaeren Staaten heisst "liquidiert". Alles, was normalerweise in dieser Situation von einem Betriebsfuhrer verlangt werden konnte, war, dass er sein Moeglichstes tat, um diesen auslaendischen Arbeitern ihre Arbeit und ihr Dasein so ertraeglich zu gestalten, wie es die Umstaende ihm erlaubten. Wir werden beweisen, dass Dr. Wurster das und noch

mehr getan hat. Wir werden Ihnen Zeugnisse bringen, aus denen Sie ersahen werden, dass Beschwerde geführt worden ist von amtlichen und privaten Stellen, dass in der Badischen Anilin- & Soda-Fabrik Ludwigshafen-Opau die Fremdarbeiter zu gut behandelt, ja geradezu "verhatschelt" wurden. Dr. Wurster hat alles getan, um fuer eine menschenwuerdige Unterkunft, Ernahrung, Behandlung der auslaendischen Arbeiter zu sorgen, hat seine diesbezuglichen Anordnungen erteilt und, soweit das ueberhaupt menschenmoeglich war, die Durchfuhrung dieser Anordnungen ueberwaht. Wir werden beweisen, dass sogar alles getan wurde, um dafuer zu sorgen, dass die Fremdarbeiter sich heimisch fuehlen konnten. Ich will gar nicht auf Einzelheiten eingehen und nicht all das darlegen, was die Beweisaufnahme bringen wird. In der Frage der Behandlung der Fremdarbeiter gibt es in der Meinung derer, die sie aus moechtester Naeh beobachtet haben und die den Fremdarbeiter mehr als wohlwollend gegenueberstanden, nur eine Auffassung: Dr. Wurster hat sich all diesen Menschen gegenueber anstaendig, fuersorgend und hilfreich, in einem Wort, menschlich verhalten.

Die Anklage moege Dr. Wurster verworfen, was sie immer will, es ist unmoeglich und ausgeschlossen, dass er je irgend eine Handlung beging,



die einem anstaendigen Menschen im Urtheil aller gerecht Denkenden, ganz gleich welcher Nationalitaet, zur Unchre gereichen wuerde.

Eine der auffallendsten Tatsachen im Falle Dr. Hurster ist die, dass alle Bevoelkerungskreise, denen er durch seine Stellung als Leiter des grossen Ludwigshafener Werkes bekannt geworden ist, und alle Arbeiter und Angestellte, ganz gleich welcher politischen Richtung und welcher Religion sie angehooeren und welche soziale Stellung sie im Werk auch immer einnehmen, ihn schaeetzen, ehren und lieben. Das werde ich beweisen. Als Dr. Hurster, der schwer krank im Krankenhaus Ludwigshafen lag, schliesslich infolge des unnachgiebigen Draengens der Anklagebehoerde als kranker Mann in Krankenwagen nach Nuernberg ueberfuehrt worden ist, hat die offizielle Vertretung der Belegschaft des Werkes ihn Blumen ueberreicht und hat Seelior gebildet. Aus Sympathie fuer ihn sind die mehr als 19 000 Angestellten und Arbeiter des Betriebs geschlossen in einen einstueendigen Streik eingetreten. Wir werden die diesbezoeglichen Dokumente dem Gerichte vorlegen. Ich glaube nicht zuviel zu behaupten, wenn ich sage, dass es sehr schwer sein duerfte, nicht nur in Deutschland, sondern in irgend einem Lande bei den Gegensatzen zwischen Arbeitgebern und Arbeitnehmern ein so geschlossenes und freiwilliges Eintreten fuer den Leiter

eines Betriebes zu finden, wie dies im Fall Dr. Wursters geschah. Ich habe kaum einen Menschen kennen gelernt in meinem sehr ereignisreichen Leben, von dem man sagen konnte, dass er keinen Feind hat. Aber hier, in der Person Dr. Wursters, habe ich einen solchen Mann gefunden. Fast scheint mir, den einzigen Feind, den er hat, hat er in den Vertretern der Anklage, und auch sie würden, wenn sie die Worte des Rev. Marshall beherzigen würden, ihre Meinung ändern unter der Voraussetzung, dass sie nicht nur die Papiere, sondern auch den Menschen kennen würden. Als nach dem Zusammenbruch der deutschen Armee die amerikanischen Streitkräfte im März 1945, also noch während der Kriegshandlungen in Deutschland, das Werk Ludwigshafen-Oppau besetzten, haben sie sehr bald das gleiche Urteil über Dr. Wurster gehabt und ihn mit der weiteren Leitung des Industrieunternehmens betraut. Sie machten, was wir durch amerikanisches Zeugnis beweisen werden, über Dr. Wurster genaue Erhebungen an Orte. Sie lasen es nicht nur aus den Akten, sie überzeugten sich dort, wo sie die Wahrheit am besten feststellen konnten, am Platz seiner Tätigkeit. Da fanden sie in Dr. Wurster einen Mann, der den Befehlen der Nazigewalt<sup>igen</sup> am Schluss des Krieges und vor Einrückten der amerikanischen Truppen, das ganze Werk in die Luft zu sprengen



und sich in das rechtsrheinische Gebiet zurück-  
zu ziehen, nicht Folge geleistet hat. Da konn-  
ten sie feststellen, dass Dr. Wurster unter Le-  
bensgefahr den Befehl der Nazigewaltigen sabo-  
tierte und so das bedeutende Werk und den Rest  
der Stadt Ludwigshafen vor Zerstörung und Un-  
tergang bewahrt hat. Auch das werde ich beweisen.  
Da fanden sie in Dr. Wurster einen Mann, der  
gegen all den Wahnsinn auftrat und ihn verhin-  
derte und durch sein mutiges Verhalten viel Un-  
glück abwandte. Die amerikanischen Besatzungs-  
autoritäten haben, solange sie die Pfalz und  
damit Ludwigshafen besetzt hatten, mit Dr. Wurster  
eng zusammengearbeitet. Als sie am 10. Juli  
1945 dieses Gebiet verliessen, um es der fran-  
zösischen Besatzungsbehörde zu übergeben,  
haben sie ihren Bedauern Ausdruck gegeben,  
nicht mehr länger mit ihm arbeiten zu können.  
Das werden wir beweisen. Wir werden durch das  
gleiche Zeugnis beweisen, dass Dr. Wurster und  
Andere, nach einer genauen Untersuchung und  
nach den gemachten Erfahrungen, von den Ameri-  
kanern betrachtet wurden als "honest and  
honorable gentlemen upon whose word" they "could  
depend".

War es nicht etwa diese Einschätzung Dr.  
Wursters, die amerikanischen Behörden veranlasst  
hatte, kurz vor der Erhebung dieser Anklage ihm  
eine gute Stellung in den Vereinigten Staaten

von Amerika anzubieten? Sollten neben der deutschen Bevölkerung, die Dr. Wurster so genau kennt, auch kampfgeübte und sachverständige Amerikaner, die seinen Fall prüften und vor allen Dingen mit ihm persönlich in der täglichen Arbeit standen, sollten sie alle unrecht haben und nur die Prosecution im Rechte sein, die lediglich im Besitze einiger kümmerlicher papierener Dokument ist?

Als die französische Besatzungsbehörde von den amerikanischen Behörden die Besatzung und damit die Verwaltung der Badischen Anilin- & Soda-Fabrik, Ludwigshafen a. Rhein-Oppau, übernahm, erlebten wir das gleiche. Dr. Wurster wurde nach einer bestimmten Probezeit und Überprüfung seiner Person wiederum zum Leiter des Werkes bestellt. Da besonders viele der Fremdarbeiter und der Kriegsgefangenen Franzosen waren, haben naturgemäss die französischen Behörden sofort eine Untersuchung darüber veranstaltet, was mit ihren Landsleuten in der Fabrik, fuer die Dr. Wurster verantwortlich war, geschehen ist. Das Ergebnis dieser Prüfung war die Erneuerung des Vertrauens der Französischen Behörden zu Dr. Wurster. Wenn ein Franzose, dessen Stellung ihn zu einem solchen Urteil besonders qualifizierte, als er hörte, dass ich die Verteidigung Dr. Wursters übernommen habe, mir sagte: "maitre, vous défendez une bonne cause",



so hat er damit ausgedrückt, was alle gedacht haben.

Alle diese Amerikaner, Franzosen, Deutsche, die unmittelbar mit ihm zu tun hatten, alle sie sollen unrecht haben und nur die Prosecution, die ihn persönlich überhaupt nicht kennt, soll im Rechte sein? All diese Menschen, die ihn zum Teil aus der schweren Zeit kennen, die den Menschen auf die Probe stellt, sollen etwa gar von ihm getauscht worden sein und nur die Anklagebehörde, die nichts über ihn weiss, soll den Scharfblick zur Erkennung seiner wahren Person haben? Denkt man da nicht an den Satz, der Abraham Lincoln zugeschrieben wird: "you can fool some of the people all of the time, and all of the people some of the time, but you cannot fool all of the people all of the time." In Wirklichkeit ist hier niemand getauscht worden, es gibt nur eine Stelle, die sich mit Bezug auf Dr. Burster selbst getauscht hat: das ist die Anklagebehörde.

So ist es kein Zufall, wenn ich, der ich meinen Kampf gegen den Nationalsozialismus und fuer den Frieden und die Freiheit mit dem Verlust meiner seinerzeitigen Existenz und meines Vermögens und mit 14 Jahren Exil bezahlt habe, die Verteidigung dieses Mannes übernommen habe. Ich konnte es tun in Uebereinstimmung mit dem Willen derer, die Gegner des Nazitums waren.

Ich musste es tun aus innerem Antrieb,  
nachdem ich in langen Verhandlungen mich  
von der Reinheit der Persönlichkeit  
Dr. Wursters überzeugt hatte.

Als ich mit einigen Dokumentenbüchern unten  
am einen meiner Freunde, auch einen Juristen,  
mit dem ich in Exil zusammengetroffen bin,  
hier vor den Toren des Justizpalastes zufael-  
lig traf, rief er mir erstaunt zu: "Was,  
Du verteidigst Kriegsverbrecher?" Ich konnte  
ihn gelassen antworten: "Nein, ich verteidige  
Dr. Wurster!"

So will ich im Verlaufe unseres Beweisvor-  
trags aufrichtig die Wahrheit suchen und ihr  
folgen, was auch immer der Preis sei, im Glau-  
ben an den Satz, dass die Wahrheit den Menschen  
frei macht. Ich bin sicher, Hohes Gericht,  
dass diese Wahrheit auch meinen Klienten die  
Freiheit wiedergibt und dass die Gerechtigkeit  
ihn die Tore des Gefängnisses öffnet und  
ihn zurückgibt zum Leben und zurückgibt zur  
Arbeit, ihn wiedergibt all den Tausenden, die  
auf ihn warten, jener grossen Familie der  
arbeitenden Menschen, die mit ihm eine bessere  
Welt aufbauen wollen.



MICROCOPY

892

ROLL

98

